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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 181/2018**

VIKRANT SEJWAL

..... Petitioner

Through: Mr.____, Advocate (appearance not
given)

versus

STATE (NCT)OF DELHI

..... Respondent

Through: Mr. Ashish Dutta, APP for State with
SI Nitesh Sharma, PS Saket

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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19.02.2018

The status report has been submitted on behalf the State.

The arguments have been addressed on behalf of either side.

It has been submitted on behalf of the applicant that the applicant has been falsely implicated and that the dispute if any of the applicant was with the brother of the prosecutrix. It has also been submitted on behalf of the applicant that there are variations in the statements made by the prosecutrix to the police under Section 164 Cr.P.C. and in the FIR and that the allegations in relation to the alleged involvement of the applicant in FIR No. 341/14, PS Saket, under Section 323/341/34 Indian Penal Code, 1860 do not survive any more in view of the settlement already arrived at between the parties thereto.

It has further been submitted on behalf of the petitioner that the

petitioner has been in custody since November, 2017 and has a widowed mother and a younger brother to lookafter. It has further been submitted on behalf of the applicant that the only allegation against the applicant is that he caught hold of the hand of the prosecutrix.

On behalf of the State, the application has been opposed submitting to the effect that the prosecutrix has supported the the prosecution versioin at the time of recording of the FIR and the statement under Section 164 Cr.P.C. in corroboration as also observed vide proceedings dated 22.1.2017 by the learned Additional Sessions Judge-01, Fast Track Court, POCSO.

Without any observation on the merit or demerits of the case, the allegations against the applicant relate *inter alia* to having made vulgar comments and gestures against the prosecutrix and having followed her, caught hold of her hand and assaulted whilst he was under the influence of liquor, and also beat the brother of the prosecutrix, when he tried to prevent the same and as the applicant is alleged to be indulged in such activities prior to the present case, also as submitted by the prosecution, in view of the above, no ground is made out for grant of bail, the application is rejected and the bail Appln. No.181/2018 is dismissed.

ANU MALHOTRA, J

FEBRUARY 19, 2018/SV