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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Judgment delivered on: 10.12.2018

+ BAIL APPLN. 272/2017

ANAND SWAROOP

..... Petitioner

versus

STATE (GNCTD)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.Satish Kumar, Advocate.

For the Respondent : Mr.Hirein Sharma, APP for the State with SI Sunil Chandra, P.S.Moti Nagar.
Mr.Hemant Choudhary, Adv. for the complainant.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.12.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.419/2016 under Sections 376/328/506 IPC read with Section 6 of the POCSO Act, Police Station Moti Nagar.

2. By order dated 01.03.2017 petitioner was granted interim protection subject to joining investigation. Learned APP under instructions submits that the investigation is complete and chargesheet has already been filed and since petitioner was under protection

chargesheet was filed without arrest.

3. In view of the above, learned counsel for the petitioner seeks leave to approach the Trial Court for consideration of his bail application.

4. In view of the above, the petition is disposed off with permission to the petitioner to file an application for seeking bail before the Trial Court within a period of one week.

5. In case petitioner files an application within one week, interim protection granted to the petitioner by order dated 01.03.2017 shall continue till the disposal of the application by the Trial Court. In case the Trial Court is inclined to reject the application, the protection shall continue for a period of one week beyond the date of rejection.

6. It is clarified that the Trial Court shall be at liberty to decide the application without being influenced by anything stated in this order and in case petitioner fails to file an application within one week, the interim protection by order dated 01.03.2017 shall automatically lapse.

7. The petition is disposed of in the above terms.

8. Order *Dasti* under signatures of the Court Master.

DECEMBER 10, 2018/rk

SANJEEV SACHDEVA, J