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

+ **BAIL APPLN. 553/2018**

RAKESH KHINCHI

..... Petitioner

Through

Mr. Murari Tiwari, Mr. Avinash Pandey, Ms. Shweta Rani, Mr. Rahul Kumar, Mr. Rajbir Singh Bal and Mr. Sandeep Kumar, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Through

Ms. Manjeet Arya, APP
Mr. Vikas Khatri and Mr. Anubhav,
Advs. with complainant in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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25.07.2018

Learned counsel for the petitioner submits that prosecutrix aged about 27 years was in a relationship with the petitioner. After their relationship broke of prossecutrix has falsely implicated the petitioner. In fact, prosecutrix had sent messages to petitioner on Facebook by impersonating herself as Tanvi Pahariya and Reena, thereafter they became friends. Petitioner never promised the prosecutrix that he will marry her. Prosecutrix has admitted in one of the documents that she was living with petitioner as

his wife. Petitioner never made any obscene video of the prosecutrix with him nor had ever threatened her. Petitioner has cooperated in the investigation, inasmuch as handed over his mobile phone to Investigating Officer. It is further submitted that prosecutrix has stated in the FIR that petitioner forced her to abort the pregnancy but no medical documents were produced by her before the Investigating Officer. It is further submitted that there is delay in lodging the FIR. Petitioner filed a complaint on 16th March, 2017 before the police officer in Rajasthan against the prosecutrix, which is prior to filing of the present FIR by the prosecutrix. In his complaint petitioner has stated that prosecutrix had extorted more than one lac from him by threatening him. Nothing is to be recovered from the petitioner.

Learned APP, who is assisted by the learned counsel for complainant, has opposed the grant of anticipatory bail to the petitioner. It is contended that petitioner had established physical relations with prosecutrix on the pretext of marrying her. He made obscene video of the prosecutrix with him and started blackmailing her.

Investigations are complete against the co-accused and charge-sheet has already been filed.

Keeping in mind the totality of facts and circumstances of this case, it

is ordered that in case of arrest, petitioner be released on bail subject to his furnishing a personal bond in the sum of ₹20,000/-(Rupees Twenty Thousand Only) with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer/SHO concerned.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

JULY 25, 2018

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