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

+ **BAIL APPLN. 562/2018**

ARUN KUMAR

..... Petitioner

Represented by: **Mr. Vinay Kumar Sharma,**
Advocate.

versus

THE STATE

..... Respondent

Represented by: **Ms. Rajni Gupta, APP for State**
with W/ASI Pavitra Devi, P.S.
Sector 23 Dwarka.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **24.07.2018**

1. By this petition, the petitioner seeks anticipatory bail in case FIR No. 58/2018 under Sections 376/328/506 IPC registered at the Police Station Sector 23 Dwarka.

2. The complainant in the above noted FIR alleged that she was pursuing her studies in Bachelor degree and the petitioner used to chase her and after sometime, they became acquaintance. On 27th October, 2017, the petitioner took the prosecutrix in a hotel at Mahipalpur, New Delhi and gave her one cold drink laced with sedative and thereafter she was subjected to sexual intercourse against her consent. After that, the petitioner threatened the prosecutrix that he had taken the photographs and video of the prosecutrix

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and the same will be uploaded on the internet, if she did not follow his instructions. Thereafter, the petitioner made a promise of marriage to the prosecutrix. On 10th November, 2017, the petitioner took the prosecutrix to the house of his sister in Rohini and told her that he will marry her. On that day, both the petitioner and prosecutrix stayed there and the prosecutrix was again subjected to sexual intercourse.

3. After that, the petitioner told prosecutrix that he will marry her in Jaipur and he took her to Jaipur. In Jaipur, they stayed in a hotel and there she was again subjected to sexual intercourse. On 2nd January, 2018, on the pretext of marriage, petitioner took the prosecutrix to Shimla and they stayed in Hotel Rajat, where, she was again subjected to sexual intercourse.

After that, when complainant got to know that the petitioner was a married man with a child, some altercation took place. On 16th February, 2018, the petitioner told the prosecutrix that he will marry her that day and took the prosecutrix to Dwarka Court and there he got signature of prosecutrix on some documents on the pretext of marriage and then he left the prosecutrix in front of the Police Station.

4. As per the status report, verification reveals that the prosecutrix and the petitioner had been staying at various hotels. On 17th February, 2018, the prosecutrix gave an information to SHO of Police Station Sector 23 Dwarka completely exonerated the petitioner. Considering the facts of the case, this court deems it fit to grant anticipatory bail to the petitioner.

5. It is, therefore, directed that in the event of arrest, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

6. Petition is disposed of.

7. Order dasti.

MUKTA GUPTA, J.

JULY 24, 2018

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