

\$~1

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

%

Judgment delivered on: 04.04.2018

+ BAIL APPLN. 624/2018

KRISHAN KANT PANDEY

..... Petitioner

versus

THE STATE (GOVT OF NCT OF DELHI)

.... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr Praveen Goswami

For the Respondent : Mr Akshai Malik, Addl. PP for the State
W/SI Madhvi Bi.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

04.04.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in case FIR No.17/2018 under Sections 376/354A IPC, Police Station Madhu Vihar.

2. The allegations against the petitioner are that the petitioner came in contact with the prosecutrix through Facebook in the year 2014. Thereafter, they started conversing with each other over telephone. As per the prosecutrix, on a promise to marry, the prosecutrix was asked to join the petitioner at Agra. Thereafter, it is contended, that they started living together. It is alleged that on the promise to marry, physical relationship was developed between the parties.

3. It is further alleged in the FIR that the prosecutrix got pregnant twice; firstly in the year 2015 and secondly in the year 2017 and both times the accused, by giving medicines, forced abortion despite the fact that the prosecutrix did not want to abort the child and wanted to give birth to the child.

4. Learned Additional Public Prosecutor for the State submits that insofar as abortion in 2015 is concerned, the Investigating Officer has recovered some medical records and further investigation is underway and the medical records for 2017 are being procured. He submits that custodial interrogation of the petitioner is necessary in the present case.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated.

6. The allegations against the petitioner are very serious. Keeping in view the seriousness of the allegations and the fact that the investigation is at a preliminary stage, I am not inclined to grant anticipatory bail to the petitioner. Further, in the facts of the case, I do not find the request of the learned Additional Public Prosecutor for custodial interrogation to be unjustified.

7. The Petition is accordingly dismissed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

APRIL 04, 2018/१०