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

+ **BAIL APPLN. 620/2018 & Crl. M.A. No. 5197/2018**

VENKATESH NITTALA Petitioner
Through Mr. Manoj Ohri, Sr. Advocate with
Mr. Aditya Bhardwaj, Mr.
Abhimanyu Singh, Mr. Kunal
Sharma, Mr. Nawab Singh & Mr. Rajiv
ranjan Raj, Advs.

versus

THE STATE GOVT OF NCT OF DELHI Respondent
Through Ms. Meenakshi Dahiya, APP with SI
Nitesh, P.S. Saket
Mr. D.P. Shukla, Adv. for
complainant

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **15.05.2018**

Learned Senior Counsel for the petitioner submits that prosecutrix is an educated married woman of more than 22 years of age. Petitioner and prosecutrix were in a relationship. After their relationship broke off, prosecutrix lodged the FIR under Section 354-A IPC on 13th January, 2016. In the FIR, prosecutrix has categorically stated that no intercourse took place between them, though they were physically intimate to a great extent. In her

statement under Section 164 Cr.P.C. also prosecutrix has not levelled any allegation of sexual intercourse committed by the petitioner on the pretext of marriage or otherwise. Only after 1½ year, that is, on 17th October, 2017 prosecutrix approached the Investigating Officer and made a statement that petitioner had established sexual relations with her on the pretext of marrying her.

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 ₹25,000/- (Rupees Twenty Five 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. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

MAY 15, 2018
r.bararia