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

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Judgment delivered on: 28.11.2018

+ BAIL APPLN. 627/2018

SONU @ KULDEEP

..... Petitioner

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. M.L. Yadav, Advocate.

For the Respondent : Mr. Hirein Sharma, APP for the State.
SI Anu, PS Mansarovar Park.
Ms. Anu Narula, Advocate for the complainant.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

28.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks anticipatory bail in case FIR No.446/2017 under Sections 376/354-D/506/34 IPC, Police Station Man Sarovar Park based on a settlement between the complainant and the brother of the petitioner, a co-accused and the Settlement Deed dated 01.03.2018 has been executed. Consequent to the settlement, the complainant has married the brother of the petitioner.

2. The petitioner was granted interim protection by order dated

21.03.2018 subject to joining investigation.

3. Learned counsel appearing for the complainant submits that the brother of the petitioner has married the complainant solely for the purposes of obtaining bail. She submits that the brother of the petitioner has married the complainant and she had appeared before this court and had consented to grant of anticipatory bail on the very first date. However, subsequently, the conduct of the brother of the petitioner had shown that the marriage was solely for the purposes of obtaining an order from this Court.

4. Learned counsel appearing for the petitioner submits that the brother of the petitioner has genuinely married the complainant and the petitioner has been falsely implicated.

5. Learned APP for the State submits that the chargesheet has already been filed, however, as there was an interim protection by this Court, chargesheet has been filed without arrest.

6. Keeping in view of the fact that the chargesheet has been filed, the petitioner is directed to approach the Trial Court for grant of regular bail within a period of one week from today. The interim protection, granted to the petitioner, by order dated 21.03.2018, shall enure to the benefit of the petitioner till the disposal of the application for grant of regular bail by the Trial Court and in case, the Trial Court is inclined not to admit the petitioner to bail for a period of one week thereafter.

7. It is further clarified that in case the petitioner fails to file an application seeking regular bail within one week from today, the interim protection granted to the petitioner shall automatically lapse.

8. It is clarified that this Court has not expressed any opinion on the merits of the case and the Trial Court shall be at liberty to consider the application without being influenced by anything stated in this order.

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

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

NOVEMBER 28, 2018
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SANJEEV SACHDEVA, J

नित्यमेव जयते