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

+ BAIL APPLN. 802/2018

GURSHARAN J SRAN

..... Petitioner

Through: Mr. Ashish Sheoran and Ms. Smita
Bankoti, Advs.

versus

STATE & ANR

..... Respondents

Through: Ms. Meenakshi Dahiya, APP with SI
Mamta, P.S. Dwarka North.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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12.04.2018

Learned counsel for the petitioner submits that prosecutrix was colleague of petitioner at the relevant time, that is, in the year 2016. FIR has been registered on 26th August, 2017. Prosecutrix has alleged in the FIR that an year ago petitioner, on the pretext of marriage, had taken her to his house at Rosewood Apartment, Near Metro Station, Dwarka (Sector 13) and committed rape with her. Meaning thereby that petitioner had taken the prosecutrix to the said apartment in the year 2016. It is submitted that petitioner was not even living at the said house in the year 2016. He has, in fact, moved in the said house in the month of January, 2017. Reliance has been placed on Rent Agreement. It is further submitted that prosecutrix was only a colleague of petitioner and she was obsessed with petitioner and had

been sending WhatsApp messages. Petitioner was on Facebook where his status was shown as 'married'. Prosecutrix has even sent message to the petitioner, after registration of FIR, wherein she has written 'take care of yourself' at the end of the message. Prosecutrix is an educated lady of 27 years of age. It is hard to believe that only on the pretext of marriage she would have made relations with the petitioner.

Keeping in mind totality of the 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 ₹10,000/- with one surety in the like amount to the satisfaction of Arresting Officer/Investigating Officer/SHO of the concerned police station.

Bail application is disposed of in the above terms. Miscellaneous applications are disposed of as infructuous.

Dasti.

APRIL 12, 2018

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A.K. PATHAK, J.