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

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Judgment delivered on: 07.08.2018

+ BAIL APPLN. 917/2018

NAVEEN SINGH

..... Petitioner

versus

THE STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.Rana Kunal and Mr.Sanjeev Malik,
Advs.

For the Respondent: Mr.Panna Lal Sharma, APP with SI Jitendra
Negi, P.S.Neb Sarai.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

07.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No. 146/2018 under Section 376/506/336 IPC Police Station Neb Sarai. As per the allegations in the FIR, petitioner is alleged to have committed the offence of rape on the prosecutrix several years prior to the lodging of the FIR and is alleged to have repeated the same several times. As per the statement recorded under Section 164 Cr.P.C, the last time the

offence is alleged to have been committed was six months prior to registration of the FIR. It is further alleged that on 30.03.2018 when the prosecutrix along with her family was travelling to Shirdi the petitioner came to the house of the prosecutrix, quarrelled with her mother-in-law who was alone at home and thereafter fired some shots at the house. When her mother-in-law confronted the petitioner he is alleged to have quarrelled with her once again and thereafter left.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that there is an unexplained delay in lodging of the FIR and there is no material to substantiate that there was ever any physical relation between the petitioner and the prosecutrix. He further submits that as per the complaint, the petitioner is not alleged to have fired at anyone but is alleged to have fired shots at the house.

3. Petitioner was granted interim protection by order dated 24.04.2018 subject to his joining investigation.

4. Learned APP under instructions from the IO submits that the petitioner did join investigation and the investigation is complete and the State is in the process of filing the final report.

5. Without commenting on the merits of the case, on perusal of the records, I am of the view that the petitioner has been able to make out a case for grant of anticipatory bail. In the event of arrest,

petitioner shall be released on bail by the IO/arresting officer/SHO concerned, on petitioner furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the SHO/IO/Arresting Officer. Petitioner shall not do anything which may prejudice either the investigation, trial or the prosecution witnesses. Petitioner shall not make any endeavour to contact the prosecutrix or her family. Petitioner shall not leave the country without the permission of the Trial Court.

6. Petition is disposed of in the above terms.

7. Order *Dasti* under the signature of the Court Master.

AUGUST 07, 2018

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SANJEEV SACHDEVA, J