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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 948/2018 and Crl. M.A. 7779/2018 and 11053/2018
DR. MOHIT GOEL Petitioner

Through: Mr. K. K. Manan, Sr. Advocate with Mr.
Ankush Narang, Ms. Shivani Kant, Mr. Bhairya
Chauhan, Mr. Shashank Singh, Mr. Jatin Sharma,
Mr. Raslin Rampal and Mr. Shekhar Tandon,
Advocates

versus

STATE (THE NCT OF DELHI) Respondent
Through: Ms. Meenakshi Dahiya, APP for the
State
Mr. S.K. Gupta, Advocate for the complainant
with complainant in person

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **31.07.2018**

In the first information report (FIR) no.131/2018 registered on 20.04.2018 by police station Welcome, allegations have been made against the petitioner constituting offences punishable under Sections 354, 506 IPC allegedly committed sometime around 3.00 p.m. on 19.04.2018. It appears the petitioner is a medical practitioner running a diagnostic clinic. The complainant had gone to his clinic for ultrasound examination. It is during such examination that the petitioner is alleged to have assaulted her with intent to outrage her

modesty. The petitioner seeks to rely on copy of the audio recording presented on record in the form of compact disc alongwith its transcript to argue that no such incident as is alleged could or would have happened. The learned senior counsel explained that out of abundant caution and to allay the possibility of accusations being levelled, the petitioner had arranged an audio recording system in his clinic wherein while examining the patients, the conversation that would occur would be subjected to audio recording so that it could be relied upon in case of need. A copy of the said audio recording has already been handed over to police which has sent it for forensic examination. While the forensic scrutiny and further investigation is likely to take some time to conclude, given the facts and circumstances, there is no reason why the petitioner ought not be granted protection against arrest, this, of course, subject to another call being taken at the stage when the prayer for release on regular bail comes up should the police file a report seeking his prosecution.

Having regard to the facts and circumstances, a case for release of the applicant on anticipatory bail is made out.

Thus, it is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bonds in the sum of Rs.20,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence

any of the witnesses connected to the case;

(iii) Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;

(iv) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(v). He shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if he holds one, with the said court; and

This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against him by the court of cognizance.

The petition and the applications filed therewith stand disposed of in above terms.

Dasti.

R.K.GAUBA, J.

JULY 31, 2018

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BAIL APPLN. 948/2018

page 3 of 3