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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 1016/2018
MOHD. SUHAIL @ ROHIT Petitioner
Through: counsel for petitioner.

versus

STATE (NCT OF DELHI) Respondent
Through: Mr. Raghuvinder Varma, APP for
State with ASI Pramod Kr., PS Geeta
Colony.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **07.05.2018**

On behalf of the applicant it has been submitted that the applicant has been falsely implicated in the instant case and that the matter was a family dispute between the persons residing at different floor and that there is a cross-FIR no. 279/2017, PS Geeta Colony registered in the matter on the complaint of the younger daughter of the friend of the applicant. It has further been submitted on behalf of the applicant that vide order dated 06.04.2018 in Bail Appln. 726/2018 interim protection has been granted till the date 24.04.2018 to the co-accused in the same case. It has also been submitted on behalf of the applicant that the matter is a family dispute.

On behalf of the State the application is vehemently opposed submitting to the effect that the applicant was not a family member and there is no family dispute between the applicant and the complainant whereas the role of the co-accused, granted interim

protection till the date 24.04.2018 vide the order of this Court dated 06.04.2018, was *inter alia* only in relation to comments passed by him. The role of the applicant is that the applicant is the person who committed the alleged sexual assault on the minor child aged 11 years and that the statement under Section 164 Cr.PC of the prosecutrix is categorical against him.

Without any observation on the merits or demerits of the case, taking into account the statement under Section 164 Cr.PC of the prosecutrix and the averments in the FIR which bring forth that there is no parity in the case of the applicant and that of the co-accused Shri Manish who has been granted interim protection till date 24.04.2018 and taking into account the gross allegations levelled against the applicant in relation to the alleged assault and that the applicant is not a family member of the complainant, there is no ground for granting anticipatory bail.

The application is disposed of.

ANU MALHOTRA, J

MAY 07, 2018

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