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

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Judgment delivered on: 28.05.2018

+ BAIL APPLN. 1212/2018

DINESH SINGH PATHANIA

..... Petitioner

versus

STATE (THE NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr. K.K. Manan, Sr. Advocate with
Ms. Shivani Kant, Ms. Manveen
Dhanjal and Mr. Mukul Aggarwal,
Advocates.

For the Respondent :

Ms. Neelam Sharma, APP for the
State.
SI Anuj Kumar, PS Mayur Vihar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
28.05.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks Regular Bail in FIR No.147/2018 under Section 376 IPC, Police Station Mayur Vihar, Phase – I.
2. The allegations against the petitioner are that the petitioner had called the prosecutrix to the Hotel Holiday Inn, Mayur Vihar, Phase – I and, thereafter, in the room committed the offence. It is contended that the prosecutrix freed herself from his grip and started crying and

thereafter came out of the room and called the police.

3. Learned senior counsel for the petitioner submits that the petitioner has been falsely implicated and there is evidence to show that he has been falsely implicated. He further submits that the CCTV footage of the Hotel Holiday Inn would corroborate the fact that no such incident happened.

4. On 23.05.2018, the Investigating Officer had confirmed that the CCTV footage of the Hotel Holiday Inn had been seized. The CCTV footage of the Hotel Holiday Inn has been produced. The same has been played in the Court and viewed.

5. The Nominal Roll of the petitioner has been received. The same is taken on record. The petitioner has been in custody since 07.05.2018.

6. Without commenting on the merits of the case and perusal of the record as well as the CCTV footage shows that the petitioner has made out a case for grant of bail. Accordingly, petitioner is directed to be released on bail on his furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the trial court, if not required in any other case. The petitioner shall not do anything which may prejudice either the investigation or the prosecution witnesses. The petitioner shall not make any endeavour to contact the prosecutrix. The petitioner shall join the investigation as

and when called for by the Investigating Officer.

7. The petition is, accordingly, disposed of.

8. Order Dasti under the signatures of the Court Master.

MAY 28, 2018
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SANJEEV SACHDEVA, J

