

\$~10

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

+ **BAIL APPLN. 1343/2018**

RAHUL CHAUDHARY

..... Petitioner

Represented by: Mr. K.K. Manan, Sr. Advocate
with Mr. M.L. Chaudhary, Mr.
Ankush Narang, Mr. Shivani
Kant and Ms. Akanksha
Mehrotra, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Ms. Rajni Gupta, APP for the
State with SI Kivan, PS
Jahangir Puri.
Mr. Akhilesh Kumar and Ms.
Priyanka Verma, Advocates.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

03.08.2018

1. By this petition, the petitioner seeks bail in case FIR No. 123/2018 under Sections 377/323 IPC registered at PS Jahangir Puri. The allegations of the complainant on the basis of which the above noted FIR registered are that she married the petitioner on 24th February, 2017 at Arya Samaj Trust. It was a love marriage. Initially the petitioner who was employed in Vodafone company took care of her but after sometime of the marriage he left the job and started quarrelling with the complainant. He also beat her for trivial issues and started taking alcohol.

BAIL APPLN. 1343/2018

page 1 of 3

2. It is alleged that on 24th February, 2018 the petitioner asked her to make physical relation with his friend Pradeep on which she consumed poison out of depression and was admitted in BJRM, Hospital, Jahangir Puri.
3. Statement of the complainant was recorded on the spot wherein she stated that she was earlier divorced and had a girl child from the earlier marriage who lives with her mother. Later she married to the petitioner of her own free will, however, due to unemployment her husband was quarrelling with her and no one was to be blamed for the consumption of poison by her.
4. Be that as it may, her subsequent allegations were that the petitioner wanted to teach her a lesson and had performed unnatural sex with her despite her resistance. Petitioner is in custody since 24th March, 2018. After investigation charge sheet has since been filed and the prosecutrix, wife of the petitioner, has since been examined before the learned Trial Court.
5. Considering the fact that the material witness has since been examined, this Court deems it fit to grant bail to the petitioner.
6. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

7. Petition is disposed of.

8. Order dasti.

AUGUST 03, 2018

‘yo’

MUKTA GUPTA, J.