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

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Judgment delivered on: 24.07.2018

+ BAIL APPLN. 1486/2018

AKASH

..... Petitioner

versus

THE STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Ms.Mahalakshmi Pavani, Sr.Adv.
with Ms.Shiva Vijaya Kumar and
Mr.Pankaj Kumar, Advs.

For the Respondent:

Ms.Neelam Sharma, APP for State
with SI Reena, P.S.Jyoti Nagar.
Mr.Anupam Sharma, Adv. for the
complainant.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
24.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.134/2018 under Sections 376/328 of the IPC at Police Station Jyoti Nagar.
2. Allegations against the petitioner in the FIR are that the petitioner had given two tablets to the complainant on account of which she had become unconscious and on regaining consciousness after an hour she realized that petitioner had made physical relations

with her without her consent.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. She submits that the complainant in her statement recorded under Section 161 of the Cr.P.C had stated that she had taken two tablets on her own to threaten the petitioner and in her statement recorded under Section 164 Cr.P.C she has stated that the relation was consensual. Further it is contended that the petitioner is a victim of honey trap.

4. FSL report has been received which states that the chemical found in the gastric lavage of the complainant contains "Lidocaine".

5. Learned senior counsel for the petitioner submits that as per her instruction two tablets of Lidocaine are not sufficient to cause unconsciousness as the said medicine is used to treat throat infection and is used to numb a particular area of skin.

6. Chargesheet has been filed. Petitioner has been in custody since 25.04.2018.

7. Without commenting on the merits of the case, perusal of the record shows that the petitioner has made out a case for regular bail. On petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount, petitioner shall be released on bail if not required in any other case. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. Petitioner shall

not make any endeavour to contact the prosecutrix. Petitioner shall not leave the country without the permission of the Trial Court.

8. Petition is disposed of in the above terms.

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

SANJEEV SACHDEVA, J

JULY 24, 2018

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