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

+ **BAIL APPLN. 1564/2018**

MOHIT

..... Petitioner

Represented by: Mr. Vikas Bhardwaj, Advocate.

versus

THE STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Veena, PS Paharganj.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.10.2018

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1. By this petition, the petitioner seeks anticipatory bail in case FIR No. 142/2018 under Sections 376/506 IPC registered at PS Paharganj.
2. Learned counsel for the petitioner contends that the complainant made the first complaint on 4th April, 2018 when no such allegation was levelled, however, after the petitioner filed a petition under Section 9 of Hindu Marriage Act on 11th May, 2018 notice whereof was received by the complainant, the complainant filed the FIR in question on 31st May, 2018 levelling totally different allegations. From the photographs it is evident that the marriage between the parties was with consent of the complainant and the complainant lived with the petitioner, however, she left the matrimonial home and met her parents whereafter she changed her version and did not want to stay with the petitioner.

3. In the above noted FIR the allegations of the complainant are that she met the petitioner when she was in 11th standard and they developed friendship. It is alleged that the complainant was looking for a steno teacher after 12th standard and on that pretext the petitioner on 10th September, 2017 took her to Hotel Pash, Paharganj, Delhi by saying that he will introduce her to a steno teacher. It is alleged that the petitioner sexually assaulted her in the hotel and made her videos. Thereafter the petitioner threatened her that in case she will disclose about the incident to anyone she would face dire consequences. The petitioner started harassing her by calling her from different phone numbers and again took her to Hotel Pash in January, 2018 but somehow she managed to escape. Thereafter the petitioner forcefully married her on 4th April, 2018 with the threat that he would disclose the facts to everyone and upload her photographs. On 30th April, 2018, petitioner slapped her when she was in a tuition class and after that her teacher informed her mother about the incident and thereafter the above noted FIR was registered.

4. As per the investigation carried out the petitioner and complainant never stayed together, though the marriage certificate has been verified. The case of the complainant is that after registration of FIR the complainant is receiving threat calls from the petitioner from different mobile numbers. On the last date of hearing this Court directed the State to verify the mobile numbers from which threat calls are being received on the mobile phone of the father of the victim. On analysis it was revealed that calls were received from six numbers, out of the said six numbers, five numbers were stolen and the sixth number was an STD booth. Further, all the calls were found to be

originating from a particular area i.e Mangolpuri from the five mobile numbers.

5. Considering the fact that there is some substance in the allegation that threat calls are being received on the phone of the father of the prosecutrix, this Court finds no ground to grant anticipatory bail to the petitioner.

6. Petition is dismissed.

MUKTA GUPTA, J.

OCTOBER 08, 2018

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