

\$~7

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

+ **BAIL APPLN. 1588/2018**

GAURAV KUMAR SINGH

..... Petitioner

Represented by: Mr. Sudhir Kulshreshtha, Mr.
Sameer Kulshreshtha and Mr.
Anoop Kumar, Advocates.

versus

STATE OF NCT DELHI

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Suman, PS Mandawali.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.08.2018

%

1. By this petition, the petitioner seeks regular bail in case FIR No. 71/2017 under Sections 376/377/420/506 IPC registered at PS Mandawali, Fazalpur.

2. The above noted FIR was registered on the complaint of the prosecutrix on 24th February, 2017 recorded vide DD No. 44B. On the same day medical examination of the prosecutrix was got done but she refused to undergo internal medical examination. On 25th April, 2017 statement of the prosecutrix under Section 164 Cr.P.C was recorded, however, thereafter the complainant did not co-operate in the investigation. Later she was found to be under treatment at LBS Hospital.

3. One of the pleas taken by the petitioner is that the case of the prosecutrix is that the sexual assault was committed to her on 27th January,

BAIL APPLN. 1588/2018

page 1 of 2

2017, at Lodhi Garden by the petitioner, however, the petitioner was not present at the said place at the relevant time.

4. During the course of investigation the CDR of the petitioner and the complainant were obtained and it was revealed that at the relevant time on 27th January, 2017 neither the petitioner nor the prosecutrix were present in the area of Jor Bagh/Lodhi Garden. Charge sheet has since been filed.

5. Considering the nature of allegations and the investigation carried out, 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 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.

MUKTA GUPTA, J.

AUGUST 21, 2018

‘yo’