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

+ **BAIL APPLN. 1668/2018**

PREM CHAND @ BABLOO

..... Petitioner

Represented by: Mr. B.P. Singh, Mr. Ankur
Yadav and Mr. Vikas Poonia,
Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with ASI Poonam Rani and SI
Shailendra Kumar Singh, PS
Gokulpuri, Delhi.
Mr. K.P. Rajora, Advocate for
complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
24.09.2018

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1. By this petition, the petitioner seeks anticipatory bail in case FIR No. 233/2018 under Sections 376/328/506/34 IPC registered at PS Gokul Puri.
2. In the above noted FIR the prosecutrix alleged that she had been living with her parents, her husband, father-in-law and mother-in-law. The petitioner is her brother-in-law who used to give her medicines from time to time which she took after dinner. She states that after taking the medicines, she used to feel dizzy and get unconscious. The medicines were given to her forcefully and her apprehension was that they were giving the same so as to declare her insane.

3. It is alleged that on 12th October, 2017 the health of the prosecutrix worsened and her husband took her to the house of the petitioner where he gave her medicines and while she was unconscious, the petitioner allegedly raped her.

4. The above noted complaint and complaint for offences punishable under Sections 323/354/509 against her parents-in law, sister-in-law, brother-in-law including the petitioner were made by the prosecutrix on 18th May, 2018. Considering that the allegations are offshoot of a matrimonial dispute and the fact that the complaint was made after more than 7 months of the alleged incident coupled with the other complaint against other family members of the husband and that the petitioner has already joined the investigation, this Court deems it fit to grant anticipatory bail to the petitioner.

5. It is, therefore, directed that in the event of arrest 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 Arresting Officer/SHO concerned, further subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer.

6. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 24, 2018
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