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

+ **BAIL APPLN. 1723/2018**

RAUSHAN KUMAR

..... Petitioner

Through: Mr. Sanjeev Kumar and Mr. Ram
Kamal Prasad, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Dr. M.P. Singh, APP for State with SI
Parmila, P.S. Dwarka South.
Mr. Gurman Chahal and Mr. Yogesh
Kumar, Advs. for Complainant.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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25.07.2018

Crl. M.A. 28432/2018

Allowed, subject to all just exceptions.

Application is disposed of.

Bail Appln. 1723/2018

Learned counsel for the petitioner submits that petitioner has not been named in the FIR, inasmuch as, there are no allegations of rape against him.

Petitioner has been falsely implicated in the matter.

Learned APP, who is assisted by the counsel for the complainant, contends that petitioner has been named by the prosecutrix in her statement under Section 164 Cr.P.C. Prosecutrix also named the petitioner in her MLC.

As per the FIR prosecutrix is a call girl. She has alleged that she was called to Delhi from Mumbai by co-accused Sandeep @ Romi who instructed her to visit Welcome Hotel to entertain co-accused Harsh Sharma against payment of ₹30,000/-. Consensual sex took place between them. When she started moving out of room Harsh Sharma caught her raped her and made her nude video in his mobile phone.

Keeping in mind the facts and circumstances of this case, it is ordered that in case of arrest, petitioner be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of Arresting Officer/Investigating Officer/SHO of the concerned police station. However, petitioner shall cooperate in the investigation and appear before the Investigating Officer as and when he is called upon to do so.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

JULY 25, 2018

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