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

+ **BAIL APPLN. 1913/2018**

PRATISH RAJ

..... Petitioner

Through: Ms. Anisha Jain with Mr. Nitin Jain,
Advocates.

versus

STATE OF DELHI AND ANR.

..... Respondents

Through: Mr. Ashish Dutta, APP with Insp.
Sushila, P.S. Mayapuri.
Mr. Archit Vasudeva, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **16.08.2018**

CRL.M.A. 30074/2018 (exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 1913/2018

The FIR no.305/2017 has been registered by police station Mayapuri on 31.12.2017 on the complaint of the second respondent who is real sister of the woman with whom the petitioner statedly had got married on 24.03.2017. It is alleged that the petitioner had later discovered that his wife was already married which fact had been concealed from him, this leading to he filing petition under Section 12 of the Hindu Marriage Act to seek the

marriage to be declared null and void. The said petition is yet to be responded to by the sister of the second respondent, it being a matter pending in the court at Gurdaspur, Punjab. It further appears that the sister of the second respondent had lodged a report with police station Gurdaspur alleging she having received indecent sexually explicit messages on social media from the petitioner, the said complaint statedly leading to a case being registered by the local police in Punjab, the petitioner herein having been granted anticipatory bail by the High Court of Punjab and Haryana by order dated 07.05.2018. The allegations in the FIR at Delhi are similar to the one lodged in the State of Punjab. The petitioner denies having sent any such messages. The matter would need deeper probe. In the given facts and circumstances, the petitioner deserves protection at this stage. Thus, the petition is allowed.

It is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;

(iv) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against him by the court of cognizance.

The petition stands disposed of in above terms.

Dasti.

R.K.GAUBA, J

AUGUST 16, 2018

srb