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

+ **BAIL APPLN. 1775/2018**

DHANANJAY SHARMA @ RAJAT SHARMA Petitioner
Through **Mr. Vikas Sharma, Adv.**

versus

THE STATE Respondent
Through **Ms. Manjeet Arya, APP with SI Vijay
Kumar, P.S. Farsh Bazar**

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **05.09.2018**

Learned counsel for the petitioner submits that petitioner and prosecutrix were in a relationship for more than one year. After their relationship broke off, prosecutrix has lodged the present FIR No. 151/2018 under Sections 376/328/506 IPC and Section 4 POCSO Act at police station Farsh Bazar. Certain photographs have been placed on record as Annexure P-1 to Annexure P-6 to indicate that petitioner and prosecutrix were in a close relationship, inasmuch as their family members were also known to each other. In Annexure P-5 and Annexure P-6, petitioner is seen with the mother of prosecutrix. It is submitted that prosecutrix was major at the time

when she lodged the FIR. She was about 19 years of age. DD was registered by the mother of prosecutrix on 29th October, 2017; whereas FIR was registered on 18th May, 2018. During this period, petitioner had even participated in the inquiry conducted by the police officer. However, he was not arrested.

Learned APP submits that petitioner was not arrested since petitioner and family of the prosecutrix had settled the matter on 5th April, 2018. Learned APP has opposed the grant of anticipatory bail to the petitioner. It is contended that prosecutrix was minor in the year 2016 when petitioner had made physical relations with her for the first time after administering some intoxicating substance in the cold drink.

I have perused the photographs as well as other material placed on record.

Keeping in mind the totality of 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 ₹20,000/- (Rupees Twenty Thousand Only) with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer/SHO concerned. Petitioner shall, however, cooperate in the investigation and shall 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.

SEPTEMBER 05, 2018

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