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

+ **BAIL APPLN. 1787/2018**

GAURAV SACHDEVA

..... Petitioner

Through: Mr. Ravin Rao, Advocate

versus

THE STATE (GOVT OF NCT DELHI)

..... Respondent

Through: Mr. Amit Ahlawat, APP for the State
ASI Gordhan Singh, PS Prashant
Vihar.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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31.07.2018

Crl.M.A. 28897/2018 (exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 1787/2018

The incident which is the subject-matter of ongoing investigation into case FIR No.209/2018 of Police Station Prashant Vihar statedly occurred in the premises of the District Court Complex at Rohini. It appears the first informant Sushma Madan is the wife of the petitioner herein, they having got married in 2016, the marriage having gone into rough weather, there being some litigation in the context of which both parties were visiting the court complex. It is alleged in the FIR that the petitioner along with his brother and friends had assaulted the first informant to outrage her modesty.

The petitioner has also raised allegations against the opposite party. According to him, the first informant and her brother having indulged in abusive language had committed an assault in which process his brother got injured. This is sought to be supported by a clinical note of a private hospital where the said brother was taken on the same day.

The injuries of the first informant allegedly suffered at the hands of the petitioner and his brother and friend have been found to be simple in nature.

On being asked, the investigating officer states that the CCTV system of the District Court Complex at the particular place where the incident occurred was dysfunctional. He shall obtain a formal report to this effect from the concerned District Judge for further probe.

Be that as it may, 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 bonds in the sum of Rs.20,000/- 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; and

(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.

JULY 31, 2018

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