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

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Judgment delivered on:11.10.2018

+ Bail Application No.2116/2018

RAJEEV GHALOTH

..... Petitioner

versus

THE STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Sunil Kumar & Mr. Sanjay Ghaloth,
Advocates.

For the Respondents : Mr. Kamal Kr. Ghai, APP for the State with
SI Vikas, PS Khyala.
Mr. Vikram Dua & Mr. Vikas Kumar, Advocate for
the complainant.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks regular bail in FIR No.29/2018 initially registered under Sections 323/354/354(D)/506/34 IPC and Section 12 POCSO Act, Police Station Khyala. Subsequently, charge sheet has been filed and charges have been framed under Sections 354/354(D)/323/506/34 IPC and Sections 10 & 12 POCSO Act.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that there is substantial improvement in the complaint, based on which FIR was registered and the statement under Section 164 Cr.P.C. He further submits that there is unexplained delay in lodging a complaint.

3. Learned counsel further submits that there is a settlement between the parties and even the trial court has, in the impugned order dated 25.08.2018, noted that the complainant has not objected to grant of bail to the petitioner. He submits that the petitioner is a young boy of 25 years of age.

4. Learned counsel appearing for the prosecutrix submits that though there is no settlement on the merits of the matter, however, keeping in view the age of the petitioner and his subsequent conduct and the assurance given by his family, prosecutrix does not object to the grant of bail to the petitioner.

5. Status report has been filed.

6. The petitioner has been in custody since 02.05.2018.

7. On perusal of the status report as well as the record and in view of the submissions made by the learned counsel for the prosecutrix, I am satisfied that the petitioner has made out a case for grant of regular bail. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of

the trial court, the petitioner shall be released on bail, if not required in any other case. The petitioner shall not do anything, which may prejudice either the investigation or the prosecution witnesses. Petitioner shall not contact the prosecutrix or her family.

8. The bail application is disposed of in the above terms.

9. Order *dasti* under the signatures of the Court Master.

OCTOBER 11, 2018
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SANJEEV SACHDEVA, J.

