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

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Judgment delivered on: 11.05.2018

+ BAIL APPLN. 2278/2016

RAJU CHAUDHARY

..... Petitioner

versus

GOVT. OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Amandeep Singh, Advocate.

For the Respondent : Mr. G.M. Farooqui, APP for the State.
SI Baljor Singh, PS Punjabi Bagh.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.05.2018

SANJEEV SACHDEVA, J. (ORAL)

BAIL APPLN. 2278/2016

1. Petitioner seeks bail in FIR No.287/2016, under Sections 354A/370/34 IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012 (POCSO) and Section 79 of Juvenile Justice (Care and Protection of Children) Act, 2000.

2. The allegations in the FIR are that one of the co-accused brought the prosecutrix to Delhi for the purpose of getting her employment and kept her in a house and 2-3 days thereafter he

misbehaved with her, whereafter, he left her and when she tried to get back to her house in the village, the said co-accused once again brought her back. Thereafter, she was taken to a house in Gurgaon for the purpose of getting employment, where she worked for over two years. It is alleged that the co-accused and the petitioner used to take her salary and did not give the same to her. It is stated in the FIR that she wanted the police to get her salary from these individuals.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and the only role ascribed to the petitioner is that he used to accompany the co-accused to the household in Gurgaon, where she was employed as a household help and take her salary. He submits that no offence under Section 354 or 370 is made out against the petitioner and the ingredients of the said sections are not satisfied with regard to the role ascribed to the petitioner. He further submits that charges were framed on 19.11.2016 and, till date, not a single prosecution witness has been examined as the prosecutrix is not coming forward for the purposes of recording her testimony.

4. Without commenting upon the merits of the case and on perusal of the record, I am satisfied that the petitioner has made out a case for grant of bail.

5. In view of the above, the petitioner is directed to be released on bail on his 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, not

required in any other case. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. The petitioner shall not make any endeavour to contact the prosecutrix or her family.

6. The petition is disposed of in the above terms.

7. Order Dasti under the signatures of the Court Master.

MAY 11, 2018
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SANJEEV SACHDEVA, J

