

\$~10

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

+ **BAIL APPLN. 1430/2017 & CrI.M.A. 11895/2017 (direction)**

PRATEEK GOYAL

..... Petitioner

Represented by: **Mr. Anuj Handa, Adv.**

versus

STATEE OF NCT OF DELHI

..... Respondent

Represented by: **Mr. Amit Gupta, APP with SI
Sohan Lal PS Mehrauli.
Mr. Sarika Kochar, Adv. for
complainant.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.01.2018

%

By this petition the petitioner seeks anticipatory bail in case FIR No.1413/2016 under Sections 498A/406/34 IPC registered at PS Mehrauli.

Learned counsel for the petitioner has taken me through the contents of the FIR. Learned counsel contends that the petitioner was lured into the marriage on the representation that the complainant was an unmarried woman whereas in the FIR for the first time she disclosed that she was already a widow with two children from the first marriage being looked after by her aunt at Uzbekistan. Learned counsel for the petitioner further contends that the allegations levelled in the FIR are an after-thought and the petitioner was in fact made a tool to extract money. When the complainant

BAIL APPLN. 1430/2017

page 1 of 2

could not extract money, she even levelled allegations that the petitioner was suffering from HIV.

Learned counsel for the complainant however counters the allegations and stands by the contents of the FIR.

Considering the nature of allegations and the fact that the petitioner is residing with his family at Dilshad Colony in Delhi except when he has to travel out on job in Merchant Navy, he is available and tests reveal that petitioner is HIV negative, this Court deems it fit to grant anticipatory bail to the petitioner. It is therefore directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned, further subject to the condition that he petitioner will deposit a FDR for a sum of ₹5 lakhs with the Trial Court as a measure of surety for his return back to India to be available in trial. The petitioner will also keep posted the learned Trial Court with his e-mail address so that while on ship also if any communication is to be made, the same can be done. In case of change of residential address the petitioner would inform the same to the concerned court and join investigation as and when directed.

Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 19, 2018
‘ga’