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

+ **BAIL APPLN. 2216/2018**

JEET RAM

..... Petitioner

Through: Mr. Anurag Ojha, Advocate with
Mr. D.N. Chaturvedi, Adv. &
Mr. Durgesh Mishra, Adv.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Amit Ahlawat, APP for the State
with SO Amrender, PS Fatehpur Beri.
Mr. A. Banerjee, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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20.09.2018

Crl.M.A. 32651/2018 (exemption)

Exemption allowed subject to all just exceptions.

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Status report filed.

The petitioner through counsel and complainant, who is present in person through her counsel have also been heard, besides Additional Public Prosecutor for the State.

In the FIR No.346/2018 lodged on 20.08.2018 with Police Station Fatehpur Beri, allegations have been made against the petitioner for offences punishable under Sections 376/506 IPC. The petitioner is the father-in-law of the complainant. It is indicated in the FIR that the marriage of the parties had taken place on 30.11.2018. The counsel for the complainant submits that this is a typographical error as the marriage had taken place in 2008.

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Concededly, the complainant has been living in the matrimonial home. It is alleged by her that her husband has illicit relationship with another woman, this being the cause of matrimonial dispute. She attributes sexual assault by the petitioner against her two months prior to the lodging of the FIR. She would also say that she has been raped four times during the interregnum. No specific date, time or place of such events is indicated in the FIR.

Given the background of matrimonial dispute involving the complainant and her husband, a case for protection is made out by the petitioner. Thus, 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 bond 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 under the signature of Court Master.

R.K.GAUBA, J.

SEPTEMBER 20, 2018

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