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

+ **BAIL APPLN. 2361/2018 & CRL.M.A. 33797/2018**

JITENDER KUMAR

..... Petitioner

Through: Mr. Ishwar Singh, Adv.

versus

STATE (GOVT OF NCT DELHI)

..... Respondent

Through: Mr. Ravi Nayak, APP for the State
with SI Vineeta Prasad, PS Swaroop
Nagar.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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08.10.2018

The petitioner was arrested on 16.08.2018 in the course of investigation of FIR No. 316/2018 of police station Swaroop Nagar involving offences punishable under Section 354 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012. The prosecutrix is his own daughter, then described to be a girl aged 12 years. In the statement under Section 164 Cr.P.C. recorded on 17.08.2018, she has indicated that the allegations in the FIR were not true, it having been lodged because the petitioner had quarrelled with her mother.

Given this fact, the petition is allowed. The petitioner is enlarged on bail on he furnishing personal bond of Rs. 10,000/- with one surety in like amount to the satisfaction of the trial court. Granted accordingly subject to the following further conditions:-

- (i). 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 trial court.
- (ii). He shall join the investigation as and when called upon by the investigating officer to do so.
- (iii). He shall scrupulously appear at each and every stage of the proceedings before the trial court so as not to cause any obstruction or delay to its progress.
- (iv) He shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.
- (v). 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

The bail application is disposed of in these terms.

A copy of this order shall be transmitted to the jail authorities and to the trial court.

Dasti under the signature of Court Master.

R.K.GAUBA, J

OCTOBER 08, 2018/nk