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

+ **BAIL APPLN. 2360/2018**

SANJEEV BHARTI

..... Petitioner

Represented by: Mr. Jaideep Malik, Mr. Falak Mohd,
Mr. Avinash Kapoor, Ms. Raza,
Advs.

versus

STATE

..... Respondent

Represented by: Ms. Rajni Gupta, APP with WSI
Madhuri PS Jaitpur.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.12.2018

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By this petition the petitioner seeks bail in case FIR No. 371/2018 under Sections 354/354A/363/342/323/34 IPC and Section 8 of the Protection of Children from Sexual Offences Act (in short the POCSO Act) wherein later Sections 376/511/354D/506 and 12 POCSO Act were added.

The above-noted FIR was registered on the complaint of one 'N' who stated that she was aged 17 years and on 30th June, 2018 she went to a mobile shop at about 4 PM suddenly a person named Satender Bhati @ Sumit entered the shop and caught her hand. When she resisted, Satender Bhati slapped her on face and asked her why she was not talking to him. Satender @ Sumit dragged her outside the shop and while she was trying to escape, he assaulted her and she was dragged into the Toyota Fortuner car

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which was parked outside the shop. It is alleged that Satender Bhati @ Sumit attempted to commit rape on the prosecutrix. However, she somehow managed to escape.

Petitioner before this Court is Sanjeev Bharti. The role assigned to the petitioner is that the petitioner is a neighbour of the complainant and used to give information to Satender Bhati. Charge-sheet against the petitioner is stated to be filed only under Section 354D and Section 12 POCSO At.

Considering that the petitioner is in custody since 29th July, 2018 and he is not the main accused and the only role attributed to him is of giving information to the main accused, this Court deems it fit to grant bail to the petitioner. It is therefore directed that 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 to the satisfaction of the learned Trial Court, further subject to the condition that he will not leave the country without the prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit, and that since he is in the neighbourhood of the victim he will not try to contact her or any family member of the prosecutrix.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 13, 2018
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