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

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Judgment delivered on: 20.03.2018

+ BAIL APPLN. 1712/2017

ASLAM

..... Petitioner

versus

THE STATE GNCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr B.M.Shukla
For the Respondent : Mr Mukesh Kumar, APP.
W/SI Sadhna, PS Anand Parbat.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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20.03.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Mr B.M.Shukla, Advocate, enters appearance for the petitioner and files his Vakalatnama. The same is taken on record.

2. Petitioner seeks regular bail in FIR No.0123/2017 initially registered under Section 363 IPC. Subsequently, chargesheet has been filed under Section 363/376 IPC & Section 6 of the POCSO Act, Police Station Anand Parbat.

3. Learned counsel for the petitioner submits that the statement

given by the prosecutrix under Section 164 of the Code of Criminal Procedure (Cr.P.C.) as evidenced from the chargesheet is that she had voluntarily accompanied the petitioner as she wanted to marry the petitioner. It is contended that she has categorically stated that no physical relationship was ever established with the petitioner.

4. Learned counsel further submits that even in the M.L.C., physical relationship has not been established as she has refused to undergo internal examination.

5. Learned counsel for the petitioner submits that there is nothing to show that there was physical relationship between the petitioner and the prosecutrix.

6. The petitioner has been in custody since 02.05.2017. Without commenting on the merits of the case, perusal of the record shows that the petitioner has made out a case for grant of bail. Accordingly, the petitioner is admitted to bail. Petitioner shall furnish a bail bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of the Trial Court.

7. The petitioner shall not do anything, which shall either prejudice the trial or the prosecution witnesses. Petitioner shall not make any endeavour to contact the prosecutrix or any of her family members. The petitioner shall not leave the country without permission of the Trial Court.

8. Bail Application stands disposed of in the above terms.
9. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MARCH 20, 2018

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