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

+ **BAIL APPLN. 1874/2017**

HIMANSHU RAKESH SHRIVASTAV

..... Petitioner

Represented by: Mr. Atul M. Pandey, Adv.

versus

STATE GOVT OF NCT DELHI

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Prashant PS New Usmanpur.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.01.2018

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By this petition the petitioner seeks anticipatory bail in case FIR No.887/2016 under Sections 341/354/506/509/34 IPC wherein Section 12 of the Protection of Children from Sexual Offences Act was also added on later at PS New Usmanpur.

The case of the petitioner is that after the mother of the petitioner lodged a complaint against the brother of the prosecutrix, the above-noted false complaint was lodged, however on the complaint of the mother of the petitioner the FIR was registered after registering the above-noted FIR. Learned counsel for the petitioner state that the complainant is habitual of making such complaint and prior to this complaint on the basis of which above-noted FIR was registered, she has lodged four complaints out of which on one of the complaint FIR has also been registered.

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Though the status report is silent on this fact, learned APP for the State on instructions submits that on the date of incident i.e. 24th November, 2016 the mother of the petitioner levelled allegations against the complainant's brother on which FIR No.886/2016 was registered, however as the complainant also rendered the present complaint FIR No.887/2016 was registered prior in time though complaint was received later on. Learned APP on instructions also verifies that the complainant has made four similar other complaints out of which on one of the complaint FIR has been registered.

Considering the fact that the complaint filed by the mother of the petitioner is prior in time, 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 will join the investigation as and when directed and will not leave the country without the prior permission of the Court concerned.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 08, 2018
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