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

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Judgment delivered on: 13.12.2018

+ BAIL APPLN. 2730/2018

KUNAL

..... Petitioner

versus

THE STATE

..... Respondent

**Advocates who appeared in this case:**

For the Petitioner : Mr. Raj Kumar Singh, Adv.

For the Respondent : Mr. Kusum Dhalla, APP for the State with SI Ranjeet

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**13.12.2018**

**SANJEEV SACHDEVA, J. (ORAL)**

1. Petitioner seeks regular bail in FIR No.402/2018 under Sections 376/406/420 IPC, Police Station Neb Sarai, New Delhi.
2. Petitioner has been in custody since 23.09.2018.
3. The allegations in the FIR are that prosecutrix came in contact with the petitioner through social media. Thereafter they became friends and decided to get married. The families of parties also organized *Roka* Ceremony for the solemnization of marriage. Gifts etc. were also exchanged between the family members.
4. It is contended that on the false promise of marriage, the petitioner entered into physical relationship with the prosecutrix and subsequently

refused to marry her and even refused to returned the articles which were given at the time *Roka* Ceremony.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that as per the allegations of the FIR the relationship between the parties was consensual and they were genuinely intending to get marry, however, subsequently they could not marry.

6. Status report has been filed and he same has been perused. Investigation is complete and the chargesheet has also been filed.

7. Without commenting on the merits of the case and on perusal of the records, I am of the view that petitioner has made out a case for grant of regular bail.

8. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Trial Court. Petitioner shall be released on bail, if not required in any other case. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. Petitioner shall not endeavour to contact the complainant or her family. The petitioner shall not leave the country without prior permission of the trial court.

9. Petition is disposed of in the above terms.

10. Order *Dasti* under signatures of the Court Master.

**DECEMBER 13, 2018/‘rs’**

**SANJEEV SACHDEVA, J**