

\$~5

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

+ **BAIL APPLN. 2071/2017**

SANJAY

..... Petitioner

Through: Mr. Raj Kumar and Mr. Nimish Chib,
Advs.

versus

THE STATE OF DELHI

..... Respondent

Through: Ms. Manjeet Arya, APP for State with
SI Arti Singh, P.S. Patel Nagar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

04.01.2018

Learned counsel for the petitioner submits that prosecutrix is a grown up married woman aged about 30 years having children. Prosecutrix was working in the factory where petitioner was employed as a Manager. She has alleged that petitioner had raped her after calling her in his cabin at the first floor. Other employees were also present in the factory and they would have heard if any alarm would have been raised by the prosecutrix. There is delay of two days in lodging the FIR. Prosecutrix has been examined as PW1. In her cross-examination, she has given the time of incident as 2 pm; whereas in the FIR she stated that incident occurred at 1.30 p.m. She has also stated that her husband visited the factory at 2:30 pm and met her. Surprisingly prosecutrix did not disclose factum of rape to him. There is no

medical evidence to corroborate the statement of the prosecutrix which is discrepant and unreliable, Prosecutrix admitted before the doctor that after the incident she had taken bath, inasmuch as, had contact with her husband.

Keeping in mind totality of the facts and circumstances of this case, petitioner is admitted to bail subject to furnishing a personal bond in the sum of ₹20,000/- with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

JANUARY 04, 2018

ga