

\$~25

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

%

Judgment delivered on: 18.12.2018

+ BAIL APPLN. 2961/2018

RAHUL @ GOLU

..... Petitioner

versus

THE STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. P.K. Trehan, Adv.

For the Respondent : Ms. Meenakshi Dahiya, Addl. PP for the State with
ASI Illa Khan, PS Harsh Vihar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
18.12.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No. 373/2018 under Sections 354/354-B/509/506/323/34 of the Indian Penal Code, 1860 and Section 12 of POCSO Act registered at Police Station Harsh Vihar.

2. The allegations in the FIR are that the complainant used to go for Harsh Vihar for taking her computer classes and while she was

returning from her classes, the petitioner along with co-accused are alleged to have teased her, abused her, used filthy language and beaten her on account which she sustained injuries. Subsequently, on returning home she drank acid.

3. MLC of the complainant was conducted on 15.06.2018. As per the MLC, there were no visible external injury. Apart from the noting in the MLC about what was informed, there is nothing mentioned about injury and the effect of drinking acid.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that the alleged incident is of a busy market place in the evening and there is no independent witness cited of the incident. He further submits that the petitioner is young boy of 18 years of age and has been in custody since 03.08.2018.

5. Status report has been filed and the same is taken on record. As per the status report the investigation is complete and chargesheet has already been filed.

6. Without commenting on the merits of the case and keeping in view of the totality of the facts and circumstances, I am satisfied that the petitioner has made out a case for grant of regular bail.

7. 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 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.

8. Further, Investigating Officer shall provide his personal mobile phone number to the complainant, on which the Investigating Officer could be contacted in case there is any threat or apprehension to the complainant. Investigating Officer who is present in Court is directed to take prompt action in case any complaint is received.

9. Petition is disposed of in the above terms.

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

DECEMBER 18, 2018

‘rs’

SANJEEV SACHDEVA, J