

6# \$~

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

+ **BAIL APPLN. 2222/2017**

VICKY

..... Petitioner

Represented by: Mr. S.A.Rajput, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Represented by: Ms.Rajni Gupta, APP for State
with SI Koyal, PS Nihal Vihar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.04.2018

%

1. Petitioner seeks bail in case FIR No. 490/2017 under Section 376 IPC registered at PS Nihal Vihar, Delhi.

2. In the FIR, prosecutrix alleged that the petitioner was in relationship with her for the last four years. Initially the petitioner was working separately but soon joined her office. One day the petitioner told her that it was his birthday and took her to his friend's house where she realised that it was not the birthday of the petitioner. He told to the friend that he was marrying the petitioner whereafter the friend left the house and the petitioner made forcible physical relationship with her. It is also alleged that the petitioner made photos on his mobile phone and when she tried to delete, he did not permit her to do so. It is further alleged that the petitioner continued blackmailing her for two years on the basis of the photographs and when she asked him for marriage, he stated that initially they would perform the

BAIL APPLN. 2222/2017

Page 1 of 2

engagement. In the month of September, 2015 family members of the petitioner agreed for the marriage but stated that the same would be performed only after the marriage of the younger sister of the petitioner. When the complainant refused to have any further relationship before marriage with the petitioner, he did not continue with the relation and later she got to know that the petitioner was getting married to someone else.

3. After filing of the charge sheet, charge was framed for offences punishable under Section 376/506 IPC against the petitioner and thereafter the prosecutrix has been examined. In her deposition before the Court, the prosecutrix has not supported the case of the prosecution at all and has denied the suggestion that the petitioner established forcible physical relation with her or that she was deposing falsely.

4. Without commenting on the merits of the matter, in view of the fact that the main witness, that is, the prosecutrix has since been examined, this Court deems it fit to grant bail to the petitioner. It is, therefore, directed that 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 learned Trial Court, further subject to the condition that in case of change of residential address of the petitioner, the same will be intimated to the Court concerned by way of an affidavit.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

APRIL 11, 2018/‘vn’