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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2295/2017

MITHLESH KUMAR

..... Petitioner

Through Mr.Bharat Bhushan, Adv.

versus

STATE

..... Respondent

Through Ms.Neelam Sharma, APP with ASI
Krishna from P.S.Nagloi.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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11.01.2018

Petitioner is seeking anticipatory protection. FIR No.0360/2017 has been registered at police station Nangloi under Sections 376/506 of the IPC as also under Section 6 of the POCSO Act. The FIR was registered on the complaint of Neelam. The victim is a minor girl aged around 11 years. Learned counsel for petitioner points out that the FIR has been registered two months after the date of incident; allegedly the incident had taken place on 22.6.2017 and the FIR was registered on 26.8.2017. In the FIR the name of the petitioner does not find mention. It is only in the statement of the victim recorded under Section 164 Cr.P.C. three days after i.e. on 29.8.2017 that the name of the petitioner figured. Contention of the petitioner is that this is only to embroil the petitioner as the complainant was working under him as a labourer and although the

FIR had mentioned the name of Kamal (whose mother was also working as a labourer in the company of the petitioner), the petitioner to ward off any further hassle in the matter paid the remaining salary due to the complainant but thereafter the complainant became vindictive and it was at the behest of the complainant that the victim mentioned the name of the present petitioner in her subsequent statement under Section 164 Cr.P.C.

Petitioner will join investigation as and when summoned by the Investigating Officer. This Court has been informed that the petitioner has already joined the investigation. In the event of arrest, petitioner be admitted to bail on his furnishing a personal bond in the sum of ₹15,000/- with one surety of like amount to the satisfaction of the Investigating Officer.

Petition disposed of.

INDERMEET KAUR, J

JANUARY 11, 2018

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