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

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Judgment delivered on: 13.02.2018

+ BAIL APPLN. 2588/2017

SUNNY

..... Petitioner

Versus

STATE (NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. R.K.Gupta and Mr Rukhshar

For the Respondent : Mr. Mukesh Kumar, APP for the State.
SI Praveen Kumar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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12.02.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 20804/2017(exemption)

Allowed, subject to all just exceptions.

BAIL APPLN. 2588/2017

1. The petitioner seeks a Regular Bail in FIR No.571/2017 under Sections 367/354/34 IPC & Section 8 POCSO Act.

2. The complaint is lodged by the mother of the victim. The allegation against the petitioner is that the petitioner along with one co-accused pulled the victim onto his motor-cycle and thereafter took her to some distance and misbehaved with her and thereafter left her when she started screaming.

3. Learned counsel for the petitioner submits that the alleged distance which the petitioner is alleged to have travelled is over 25 Kms. and it is practically impossible for someone to pull a girl onto a motor-cycle. Further, it is submitted that there is contradiction in the statement recorded under Section 164 of the Code of Criminal Procedure of the complainant and the victim.

4. Learned counsel for the petitioner submits that the alleged victim was a friend of the petitioner and used to roam around with the petitioner and she has written several love letters to the petitioner, which are available with the petitioner including a letter in which she has used her own blood to write "*sorry, I love you*". It is contended that the complaint has been lodged at the behest of the family members.

5. It is also pointed out by the learned Additional Public Prosecutor that the charge sheet has already been filed.

6. On perusal of the record, I am of the view that Petitioner has made out a case for grant of Bail. Further, the investigation is

complete and charge sheet has already been filed and trial is likely to take substantial time. No purpose would be served in incarcerating the petitioner any further.

7. Accordingly, the petition is allowed. The petitioner is directed to be released on bail on 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.

8. The petitioner shall not do anything, which shall prejudice either the trial or the prosecution witnesses and the petitioner shall not make any attempt to contact the complainant or the victim.

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

FEBRUARY 13, 2018

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SANJEEV SACHDEVA, J