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

+ **BAIL APPLN. 2592/2017**

RAJEEV TYAGI

..... Petitioner

Through Mr. Tarun Gautam, Adv

versus

STATE OF GNCT

..... Respondent

Through Ms. Kusum Dhalla, APP

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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15.05.2018

Learned counsel for petitioner submits that petitioner is not related to the husband of prosecutrix. He is a family friend and has been falsely implicated by the prosecutrix in view of marital discord with her husband. Prosecutrix had alleged that the petitioner raped her on 30th April, 2017, 4th May, 2017 and 16th July, 2017, however, no FIR was lodged by her. Prosecutrix alleged that her husband and his family members threw her out of house on 23rd July, 2017 but even thereafter no FIR was lodged. FIR was lodged only on 27th August, 2017. There is inordinate delay in filing the FIR.

Prosecutrix has settled the matter with her husband (co-accused Nishant Sharma) before the Mediation Centre, Karkardooma Courts on 20th April, 2018.

Petitioner has participated in the investigation. He was granted interim protection from arrest vide order dated 5th January, 2018

which is still continuing. Petitioner has not misused the concession granted to him.

Keeping in mind the totality of facts and circumstances, it is ordered that in case of arrest, petitioner be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- (Rupees Twenty Five Thousand Only) with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer/SHO concerned.

Bail application is disposed of in the above terms. *Dasti.*

A.K. PATHAK, J

MAY 15, 2018

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