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

+ BAIL APPLN. 141/2019

VISHU @ VISHWANATH

..... Petitioner

Through

Mr. Siddhartha Nanwal, Adv.

versus

STATE

..... Respondent

Through

Mr. Amit Chadha, APP with SI D.P.
Singh, P.S. Samaypur Badli

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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22.02.2019

Learned counsel for the petitioner submits that petitioner is relative of prosecutrix. Prosecutrix is aged about 30 years and has two children. Prosecutrix is a widow and is living with her mother-in-law. Prosecutrix has alleged that during the past one year, petitioner raped her thrice but no date or month has been mentioned. FIR has been lodged on 12th October, 2018. Prosecutrix has alleged in the FIR that on 6th October, 2018 at about 3:00 am petitioner tried to rape her and beat her. Prosecutrix was taken to the hospital for medical examination, where she declined her medical examination. Learned counsel submits that petitioner has already joined the investigation.

Learned APP has opposed the grant of anticipatory bail to the petitioner. He submits that prosecutrix has specifically alleged in the FIR that during the past one year, petitioner raped her thrice, inasmuch as on 6th October, 2018 petitioner tried to rape the prosecutrix at about 3:00 am. Prosecutrix could not approach the police as her mother-in-law and sister-in-law were supporting the petitioner. Prosecutrix contacted her grandmother and only thereafter, she lodged the FIR.

Keeping in mind the totality of facts and circumstances of this case, it is ordered that in case of arrest, petitioner be released on bail subject to his furnishing a personal bond in the sum of ₹20,000/- (Rupees Twenty 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.

FEBRUARY 22, 2019
r.bararia

A.K. PATHAK, J.