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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 260/2019**

PANKAJ KUMAR @ SHAILENDER Petitioner
Through: Dr. V.P. Singh, Advocate

versus

STATE(NCT OF DELHI) Respondent
Through: Mr. Ashish Dutta, APP with
ASI Tuli Ram, PS:Badarpur,
Delhi
Mr. Rakesh Kumar, Advocate
for the complainant

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **20.02.2019**

1. Status report filed.
2. Learned APP, on the query of the Court, submitted, on instructions, that the prosecutrix has not supported the case of the prosecution in her statement under Section 164 of the Code of Criminal Procedure, 1973. Learned counsel for the complainant, who is present in Court, also has not opposed the petition.
3. The brief facts of the case are that the FIR dated 14.10.2018 in this matter was registered on the complaint of one Dilip Kumar, who stated that his sister, Lalita, aged 17 years, has gone missing and he suspected that his neighbour (the petitioner herein) has allured and taken her. Intensive search was conducted to trace the missing girl and on

22.12.2018, i.e., after two months from the date of filing of the FIR, the prosecutrix along with an advocate reached the Court of the learned Additional Sessions Judge and recorded her statement under Section 164 of the Cr.PC, in which she stated that she had gone along with her friend, the petitioner herein on her own will, as she was scolded by her parents. She had not made any allegation of sexual assault or any other allegation against the petitioner. Thereafter, she was produced before the CWC, where also she made the similar statement. Initially, she was kept in Prayas Children Home and on 31.12.2018, she was sent to her parents and is presently living with them.

4. In view of the aforesaid, I deem it appropriate that this is a fit case for the grant of the anticipatory bail. Accordingly, in the event of his arrest, the petitioner be released on bail, subject to his furnishing a personal bond in the sum of Rs.25,000/-, with one surety of the like amount to the satisfaction of the IO/SHO and subject to further condition that the petitioner shall cooperate and join the investigation, as and when directed by the IO/SHO in writing. Petitioner shall not do anything which may prejudice the investigation or the prosecution witnesses.

5. The anticipatory bail application is disposed of.

CHANDER SHEKHAR, J

FEBRUARY 20, 2019

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