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

+ **BAIL APPLN. 1038/2019**

NARENDER KUMAR Petitioner

Through: Mr. Shashi Shanker &
Mr. Gurpreet Singh, Advocates

Versus

STATE Respondent

Through: Ms. Neelam Sharma, Additional
Public Prosecutor for respondent-
State with ASI Rajesh

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
25.04.2019

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CrI.M.A. 8722/2019

Allowed subject to all just exceptions.

BAIL APPLN. 1038/2019

Petitioner seeks pre-arrest bail in FIR No. 73/2019, under Sections 323/341/195A/34 IPC, registered at police station Jagat Puri, Delhi while claiming to be innocent. Petitioner's counsel submits that after the final order in the *kalandra* was passed, a complaint under Section 156 (3) of Cr.P.C. was lodged against petitioner, which is false and fabricated. It is submitted that regarding incident of 5th June, 2017, petitioner had also lodged DD No. 26A on 5th June, 2017 itself and that petitioner is ready to join investigation in this case.

This application is strongly opposed by learned Additional Public Prosecutor for respondent-State who submits that complainant had lodged DD No. 23A on 5th June, 2017 regarding the threat extended by petitioner not to depose in a rape case. It is submitted that application under Section 156(3) Cr.P.C. was filed on 1st October, 2019 and final order *Kalandra* was passed on 8th October, 2019 and so, this application deserved dismissal.

Upon hearing and on perusal of FIR of this case and copy of DD Nos. 23A & 26A, I find that allegation levelled against petitioner are of serious nature and so, petitioner is not entitled to the concession of pre-arrest bail.

This application is accordingly dismissed, while not commenting on the merits of the case.

(SUNIL GAUR)
JUDGE

APRIL 25, 2019

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