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

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Judgment delivered on: 22.05.2019

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BAIL APPLN. 1113/2019

MANISH

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.C.M.Sangwan, Adv.

For the Respondent : Ms.Kusum Dhalla, APP with ASI Krishna,
P.S.Mangol Puri.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.54/2019 under Section 376 IPC, Police Station Mangol Puri.
2. The allegations in the FIR are that the petitioner and the prosecutrix were neighbours and known to each other for over two years. It is alleged that they wanted to get married and had not informed their respective families about their relationship and the fact that they wanted to get married.
3. It is further alleged that in August, 2017 the petitioner took the

prosecutrix to his house and forcibly made physical relationship and also promised that he would marry her and thereafter it is alleged that on the false pretext to marry they had physical relations several times. It is further alleged that after about one year he left the petitioner, changed his address and about 3-4 days prior to the making of the complaint the prosecutrix came to know that he was getting engaged to someone else because of which, it is alleged that, she even consumed disinfectant and was admitted in hospital.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He submits that the allegation is that the relationship was established on a false pretext to marry, whereas there is no material to show that either there was any physical relationship or there was any promise to marry.

5. Learned counsel further submits that there is substantial delay in lodging a complaint in as much as the allegation is that relationship was established in August, 2017 and complaint is made in January, 2019 and even as per the allegations petitioner is alleged to have shifted his residence over a year prior to the making of the complaint.

6. The petitioner has been in custody since 16.01.2019.

7. Without commenting on the merits of the case and keeping in view the totality of facts and circumstances of the case, I am satisfied that petitioner has made out a case for grant of regular bail.

8. Accordingly, on petitioner 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, petitioner shall be released on bail, if not required in any other case. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. Petitioner shall not make any endeavour to contact the prosecutrix or her family members. Petitioner shall not leave the country without the permission of the Trial Court. Petitioner shall surrender his passport, if any, to the IO, if not already done so.

9. Petition is allowed in the above terms.

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

MAY 22, 2019

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SANJEEV SACHDEVA, J