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

+ **BAIL APPLN. 1174/2019 and CRL.M.A. 9995/2019**

SHUBHAM KHANNA ..... Petitioner

Through: Mr Anil Soni, Advocate.

versus

STATE ..... Respondent

Through: Ms Meenakshi Chauhan, APP for  
State.

Inspector Sunil Chauhan, SHO Pahar  
Ganj with SI Deepak.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

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**12.09.2019**

1. This is an application filed by the petitioner seeking anticipatory bail in connection with FIR No. 0059/2019, under Sections 354/509/34 of the Indian Penal Code, 1860 read with Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. The FIR was registered at the instance of one Ms S.K. (named concealed to avoid any ignominy). She had alleged that the petitioner had made obscene gestures towards her. She had stated that on 04.03.2019, at about 11:30 a.m, she had gone to Shiv Temple for the purpose of worship. She had alleged that when she reached the street on which the petitioner's shop is located, the petitioner had signalled the street dogs. On his signal, they had started barking and had run towards her due to which the water pot, which she was carrying, had fallen down from her hand. She stated that the petitioner was laughing at her and held her hand and stated that for whom she was praying. The complainant had protested against the petitioner's

conduct.

3. Ms S.K. had also alleged that the petitioner had inappropriately touched her and also used abusive language.

4. It is stated that, thereafter, her family members had come to the petitioner's shop to protest but the petitioner had quarrelled with her father and uncle.

5. Mr Soni, learned counsel appearing for the petitioner had referred to the still photographs from the CCTV coverage outside the petitioner's shop. These indicate that the complainant and her father had passed the street five to six minutes prior to the scuffle. It is the petitioner's case that no untoward incident had taken place at that time.

6. At this stage, it is not necessary to examine the rival contentions on merits. This Court is also informed that the Chargesheet has been filed.

7. Given the facts of this case and considering that the Chargesheet has been filed; this Court is of the view that there is no requirement for the petitioner to be arrested at this stage.

8. Accordingly, the present application is allowed and the petitioner is granted the anticipatory bail on his furnishing personal bond in the sum of ₹10,000/-, with one surety of the like amount to the satisfaction of the trial court. The petitioner will not attempt to contact the complainant or any of his family members.

9. The petition is allowed in the aforesaid terms. The application is disposed of.

**VIBHU BAKHRU, J**

**SEPTEMBER 12, 2019/ RK**