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

\+ BAIL APPLN. 1726/2019

MS. KAJAL @ DALJEET ..... Petitioner

Through: Mr S. R. Kamat, Advocate.

versus

STATE ..... Respondent

Through: Ms Kusum Dhalla, APP for State with W/SI Manisha, PS Nihal Vihar.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

% 25.11.2019

1. The petitioner has filed the present petition, *inter alia,* seeking bail in connection with FIR No.0561/2017 under Sections 323/363/376D/506/427/120B of the Indian Penal Code, 1860 (IPC) and Sections 6 & 17 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act), registered with PS Nihal Vihar.

2. The said FIR was registered at the instance of the victim's father. He had reported that his daughter who was studying in 11th class had left her school but had not returned home. He alleged that some persons had taken away his daughter by misguiding and inducing her.

3. A status report had been filed, which indicates that FIR was registered on 06.09.2017 and, thereafter, efforts were made to trace the victim. However, while the said efforts were being made, the victim voluntarily came along with her mother to the police station on 11.09.2017. She was

medically examined.

4. She alleged that she had been assaulted on different occasions. She stated that on the first occasion on 04.09.2017 when she had gone shopping with her friends, two persons named Gaurav and Rohit had forcibly established physical relationship in the car and, thereafter, threatened her not to disclose the same. It is stated that on the same day, the petitioner came to her house and told the victim that she should take her ID card and she would meet her at Tilak Nagar Metro Station. The victim stated that she along with documents and cash met the petitioner and, thereafter, went to Meerut. She stated that, thereafter, she met two other persons, namely, Farman and Suhail, and they had taken her to the clinic of one Nadeem where she was raped by Nadeem and Maaz. She stated that, thereafter, the petitioner had taken her to the hotel in Rishikesh where she was raped once again.

5. It is stated that in the meantime, the petitioner became aware that the victim's parents had lodged a report and, therefore, she forced her to speak with her mother to persuade her to withdraw the complaint. She stated that that thereafter the petitioner and her friends had taken her Anand Vihar Bus Terminal and from there her father had taken her to a home.

6. The petitioner had voluntarily surrendered before the trial court on 27.01.2018. She was, thereafter, interrogated.

7. It is stated that the victim is also not currently traceable.

8. It appears from the above that the role of the petitioner is limited and it is reported that she had taken the victim to Meerut and, thereafter, was also one of the persons who had taken her to Rishikesh. The victim has also stated that the petitioner and her friends had brought her back to the Anand

Vihar Terminal.

9. Considering the above, this Court is of the view that it would be apposite to allow the present petition. Accordingly, it is directed that the petitioner be released on bail on furnishing a Personal Bond in the sum of ₹10,000/- and two sureties of an equivalent amount to the satisfaction of the Trial Court. The petitioner shall also provide her contact number and ensure that she is reachable at all times.

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

VIBHU BAKHRU, J

NOVEMBER 25, 2019
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