

\$~3

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

+ **BAIL APPLN. 1834/2019**

PINTU

..... Petitioner

Through Mr Dayaram Badalia, Mr Pradeep Kumar Kaushik, Dr Sunil Kumar, Mr Sanjay Chaturvedi, Mr Priyanka Pandey, Ms Snehlata, Mr Shilpa Sherawat, Advocates.

versus

STATE & ANR.

..... Respondents

Through Mr Amit Gupta, APP for State.
W/SI Saroj Singh, P.S. Dwarka North.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

24.10.2019

1. The petitioner has filed the present petition, *inter alia*, praying that he be released on bail in connection with FIR No. 0064/2018, under Sections 363/376 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered with Police Station Dwarka North.
2. The FIR in question was registered at the instance of the mother of the prosecutrix. The initial statements made by the prosecutrix indicate that she had voluntarily gone with the petitioner, who is stated to be a first cousin. It also does not appear from the said statement that the petitioner had forced the prosecutrix in any manner. However, there is some variation in the examination-in-chief of the prosecutrix.
3. Mr Amit Gupta, learned APP appearing for the State points out that

the prosecutrix was a minor. The petitioner has been in custody for approximately one and a half years. At this stage, this Court does not consider it apposite to examine the rival contentions. The material witnesses have also been examined.

4. In view of the above and considering the totality of the circumstances, this Court considers it apposite to allow the present petition. The petitioner is directed to be released on bail on his furnishing a personal bond in the sum of ₹10,000/- with one surety of the equivalent amount to the satisfaction of the Trial Court. The petitioner shall not leave the National Capital Territory of Delhi without the permission of the Trial Court. He shall also ensure that he is available for all proceedings before the Trial Court.

5. The petition is allowed in the aforesaid terms.

6. Order *dasti* under the signature of the Court Master.

VIBHU BAKHRU, J

OCTOBER 24, 2019

pkv

