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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2198/2019**
SANJAY@ SANJU Petitioner

Through Mr. Bijjan Kumar Singh, Adv.
versus

THE STATE Respondent
Through Mr. Mukesh Kumar, APP with
SI Praveen Ahlawat

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **14.10.2019**

1. The present bail application has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973 for the grant of bail to the petitioner.
2. The brief facts of the case, as noted by the Trial Court, are as under:

“The present FIR was lodged against the petitioner by the complainant Shri Vijay Kumar stating that his daughter, namely, Anjali, who being of unsound mind was undergoing treatment in IBHAS Hospital and went missing. Later on, his daughter was recovered from the house of Late Shri Hukum Singh r/o Village Khedia Sitapur, District-Aligar, UP. The girl was counselled and medically examined vide MLC No.8804/17. The girl deposed that during Navratras, accused Phoolwati and the petitioner sold her for an amount of Rs.50,000/- which was equally shared between them. Thereafter, she was married to accused Sukhbir who used to establish physical relation with her and accused Sukhbir's younger brother Angesh used to beat her. Thereafter, the petitioner was arrested on 6.9.2017 and has been in custody since then.”

3. Status report already filed.

4. Learned APP for the State opposed the bail application and submitted that in view of the gravity of the offence and the possibility that the petitioner may abscond or influence the complainant and the other witnesses, however, on the query of the Court learned APP, on instructions, submitted that the complainant already stands examined.

5. Learned counsel for the petitioner submitted that since the complainant and the public witnesses already stand examined, there is no possibility of petitioner's tampering with the evidence or influencing the public witnesses.

6. Learned counsel for the petitioner further submitted that, as per the nominal roll, the petitioner has been in judicial custody for more than two years as on 8.10.2019 and his conduct is satisfactory.

7. Taking into consideration the aforesaid facts, the petitioner be released on bail forthwith, if not required in any other case, subject to his furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of Trial Court subject to the condition that the petitioner shall not contact the complainant or the complainant's family members or other public witnesses who have already been examined and the petitioner shall not leave the country without prior permission of the Trial Court.

8. The application is disposed of accordingly.

CHANDER SHEKHAR, J

OCTOBER 14, 2019/rk