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

Date of decision: 25.11.2019

+ BAIL APPLN. 2916/2019

DR. RAVI PRAKASH VERMA Petitioner

Through: Mr. Sunil Dalal, Adv.

versus

STATE

..... Respondent

Through: Mr. Hirein Sharma, APP for State

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL.M.A. 41008/2019 (Exemption)

1. Allowed, subject to all just exceptions.
2. This application is, accordingly, disposed of.

BAIL APPLN. 2916/2019

3. Vide the present petition, the petitioner/ accused seek direction thereby to grant bail in FIR No. 281/2019 dated 12.10.2019 registered at Police Station – Safdarjung Enclave, New Delhi for the offences punishable under Section 328/376/506 IPC.

4. Case of the prosecution is that the complainant has studied B. Pharma and in the month of December, 2017, while she was working with Walter

Bushnell Company, she was sent to Safdarjung Hospital on behalf of the company as she was the Field Sales Manager. Her job was to meet the Doctors and tell them about the medicines of her company to promote drug study in the hospitals.

5. She is married to Ravi and their marriage took place on 3rd November, 2014. In the year 2017, while she was working in Safdarjung Hospital, she used to have professional meetings with many doctors during the job. During that time, she also met Dr. Ravi Prakash Verma (General Surgeon) (the petitioner herein). Initially, she used to have a routine meeting with Dr. Ravi Prakash Verma and his behaviour towards her was also right. Due to the nature of her work i.e. marketing, mobile numbers were exchanged between them. She used to talk to him about work through text messages on the phone, then gradually, they became closer. When the petitioner offered her for coffee, she felt a bit strange and disclosed this to her husband, to which her husband explained that this goes on in business meetings. So, on his (Dr. Ravi's) insisting again, she went to Green Park, CCD for coffee with him. They had a meeting after this as well and Dr. Ravi became friendly with her. She was advised by the petitioner that she should study further and try for a job in government and that he would help her with her

preparations. Till then, the intention of the petitioner was not wrong towards her as he used to call her to his house as well and his wife and brother also knew about her profile. She continued to meet the petitioner for a long time and families of both of them used to go for lunch and dinner together. Meanwhile, the petitioner told her that he too had to do MCH Course, so he was taking a room on rent in Arjun Nagar because it was difficult to study with the family at home and he asked her to come to his rented room for her studies. She used to go to Arjun Nagar on the petitioner's rented accommodation to study 2-3 days a week. One day, the petitioner offered her a cold drink with sedative mixed in it and thereafter, he committed rape.

6. Initially, she did not disclose this fact to anyone, however, thereafter in the month of October, she made complaint which culminated into the FIR herein.

7. Learned counsel appearing on behalf of the petitioner submits that the prosecutrix used to meet him and had consensual sexual relations with him, however, when this fact came to the knowledge of her husband, he insisted her to make a complaint and accordingly, the petitioner has falsely been implicated in the present case.

8. It is further submitted that regarding the allegations of the obscene photo taken by the petitioner of the prosecutrix, he had already handed over the cell phone to the IO, who thereafter, sent the cell for examination to the FSL. The petitioner is in judicial custody since 13.10.2019. The charge sheet is yet to be filed and trial will take substantial time, therefore, there is no purpose to keep the petitioner behind the bars.

9. On the other hand, learned APP appearing for the State submits that there are serious allegations against the petitioner. He has breached the trust of the prosecutrix and by giving sedative in cold drink to her, committed rape upon her. The complaint has been supported by the prosecutrix in her statement recorded under Section 164 Cr.P.C. There is apprehension that the petitioner may influence the witnesses as the investigation is at the advanced stage. Thus, the present petition deserves to be dismissed.

10. Fact remains that the petitioner had a separate room on rent, despite staying with his family in a different accommodation. The petitioner is a Senior Resident at the Safdarjung Hospital. The prosecutrix was the Field Sales Manager of her Pharmaceutical Company and for promotion of the medicines of her company, she used to meet the doctors, who could prescribe medicines of a particular company at hospitals and to patients.

Even when the petitioner offered her to have coffee, she felt awkward, whereas offering coffee or cold drink is not a sin, which would result in awkwardness, when two persons are meeting at residence, outside or some other place. However, without commenting on the merits or demerits of the case, keeping in view the facts that no further interrogation is required from the petitioner and the fact that he is in custody since 13.10.2019 and the cell phone of the petitioner has already been seized by the IO and sent for FSL, thus, the apprehension of influencing the witnesses is also carved out. This Court is of the considered view that the present case is fit for bail. Therefore, the applicant shall be released on bail on his furnishing personal bond in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the Trial Court.

11. The bail application accordingly stands disposed of.

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

(SURESH KUMAR KAIT)
JUDGE

NOVEMBER 25, 2019

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