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

+ **BAIL APPLN. 1527/2018**

SANDEEP CHAUDHARY Petitioner

Through: **Mr. D.K. Bhatia, Adv.**

versus

THE STATE OF NCT OF DELHI Respondent

Through: **Mr. Tarang Srivastava, APP for State
with W/SI Saris Khan, PS – Maurice
Nagar
Mr. Rahul Sharma, Ms. Jyoti Dutt
Sharma and Mr. C.K. Bhatt, Advs. for
R-2**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

06.09.2019

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Vide order dated 04.07.2018, the petitioner was granted interim protection and the complainant sought time to verify her personal records and produce the same before the IO.

The allegation of the complainant is that there is material to show that even prior to 2013, petitioner had expressed his inability to marry the complainant and even thereafter, the complainant made consensual relationship with him. The petitioner has denied that any video recording was made. Consequently, interim protection was granted till the IO of the case verify the chat between the petitioner and the complainant and thereafter, if required, would file the supplementary charge-sheet.

Learned counsel for the petitioner submits that till the date, the chat is not verified, since the server is in Tokyo, Japan, the petitioner may be continued on the same protection till the IO receive the detail of the chat and file the supplementary charge-sheet.

Learned APP for the State submits that the Additional Commissioner of Police, Crime (HQ), Delhi communicated to the Home Ministry vide its letter dated 25.06.2019 for issuance of 'letter Rogatory' so that the IO of the case receives details of the chat. However, till date, no response has been received.

Keeping in view the facts, I hereby dispose of the petition by directing that the petitioner shall be on interim protection on the same terms and conditions as granted by this Court vide order dated 04.07.2018 till the details of the chat from the service provider are received and the supplementary charge-sheet is filed.

In view of the above, the petition is disposed of. Since the Additional Commissioner of Police, Crime (HQ), Delhi has already requested the Ministry of Home Affairs to issue 'letter Rogatory'. Though, the Home Ministry is not a party in the present petition, however, under Article 226 of the Constitution of India, I hereby direct the Secretary, Ministry of Home Affairs to take steps to issue 'letter Rogatory' and make other efforts to receive the chat between the petitioner and the complainant from the concerned server.

It is hereby made clear that if the Home Ministry fails to receive the chat from the service provider from Tokyo, the petitioner shall continue to remain on protection.

In case the supplementary charge-sheet is filed, the trial Court shall consider the same and thereafter, pass appropriate orders after hearing the petition.

SURESH KUMAR KAIT, J

SEPTEMBER 06, 2019

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