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

+ **BAIL APPLN. 1854/2018**

IRFAN

..... Petitioner

Represented by: **Mr. Umesh Chandra Mishra, Adv.**

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: **Ms. Meenakshi Chauhan, APP with
SI Hema SI Balbir PS Khajuri Khas.
Ms. Tanveer Khan, Adv. for
complainant.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.02.2019

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By this petition the petitioner seeks anticipatory bail in case FIR No. 229/2018 under Section 498A/323/313/34 IPC registered at PS Khajuri Khas.

The allegations of the complainant in the FIR in question are that before marriage she was living in the same house where the petitioner along with his family was residing on the ground floor. It is alleged that six months prior to the lodging of the FIR petitioner forcefully established physical relationship without her consent and due to the stigma she remained silent. On an ultrasound done on 12th February, 2018 seven weeks pregnancy was found. The petitioner refused to marry her and she was forcibly married to Irfan. When they came to know about the conception it is alleged

that husband and in-laws gave her tablets which caused bleeding and miscarriage.

Prosecutrix is a major and due to the fact that later the parties were married though differences arose between them, Section 376 IPC has not been added by the investigation nor has the statement of the prosecutrix under Section 164 Cr.P.C. been recorded.

Considering the observations of the Doctor in the MLC as also the overall facts of the case and the fact that the petitioner is working in a Government organization as a Lab Assistant, thus the chances of fleeing away are bleak this Court deems it fit to grant anticipatory bail to the petitioner. It is therefore directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned, further subject to the condition that he will join the investigation as and when directed and will not leave the country without the prior permission of the Court concerned and in case of change of address the same will be intimated to the Court concerned by way of an affidavit.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 06, 2019
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