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

+ **BAIL APPLN. 2269/2018 & CrI.M.A. 33067/2018**

ROHIT KUMAR

..... Petitioner

Represented by: Mr. Arjun Singh Bhati, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Represented by: Ms. Rajni Gupta, APP with WSI Jyoti Singh PS R.K. Puram.
Mr. Parivesh Singh, Mr. Neeraj Gautam, Advs. for complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

26.02.2019

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1. By this petition, the petitioner seeks anticipatory bail in case FIR No. 90/2018 under Section 376/420/406 IPC registered at PS R.K. Puram on the complaint of the prosecutrix.

2. In the complaint, the prosecutrix alleged that she came in contact with the petitioner and came to know that he was residing at H.No. 931, Sector-12, R.K. Puram, New Delhi. Soon their friendship grew and in August, 2017 her parents fixed her marriage with another person. On hearing this news Rohit started threatening her of dire consequences that if she marries with anyone else he would inform her fiancée about her relationship with

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him. Rohit even informed her in-laws about their relationship resulting in breaking up of her engagement. Thereafter Rohit took her to the native village at Dadri where marriage between the petitioner and the complainant was performed. The complainant became suspicious and got to know that the petitioner was already married and having children. Slowly the petitioner started beating the complainant and took the signatures of the complainant on various papers. It is alleged that Rohit's and his family threw her out of the matrimonial home.

3. Learned counsel for the petitioner has heavily relied upon the statement of the father of the complainant recorded when a writ petition of habeas corpus was filed before this Court wherein the father pointed out that the petitioner was already married, however still the prosecutrix insisted on going with the petitioner. Learned counsel thus claims that the allegation of the prosecutrix that she later came to know that the petitioner was already married is incorrect.

4. Learned counsel for the petitioner further contends that the complainant and the petitioner are staying at the same native village i.e. Dadri and their houses are only a few paces away. Considering the place of residence there is every possibility of the prosecutrix knowing that the petitioner was already married.

5. Considering the facts and circumstances of the case, 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.

6. Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 26, 2019
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