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

+ **BAIL APPLN. 2474/2018**

MOHIT BHARDWAJ

..... Petitioner

Represented by: Mr. Mayank Mohan, Ms. Reema Roy
and Mr. Ankit Chauhan, Advocates.

versus

STATE

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI Neha,
PS Mianwali Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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29.01.2019

1. By this petition, the petitioner seeks bail in case FIR No. 164/2018 under Section 376/328 IPC registered at PS Mianwali Nagar.
2. The prosecutrix gave a complaint on 4th May, 2018 at PS Mianwali Nagar alleging that she met the petitioner through facebook who introduced himself as an investigator in NIA whereafter he met her at the complainant's office. The two of them started chatting and the petitioner promised to marry the complainant. Thereafter the wife of the petitioner called the complainant and misbehaved with her when she got to know that the petitioner was already married and decided to step back, however, within 10 days the petitioner called her again and stated that his wife was mentally disturbed and assured her that he would take divorce from his wife and promised to marry her.
3. The case of the complainant is that thereafter on various occasions the petitioner took money from her which she gave. It is alleged on 18th

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November, 2017 the petitioner took complainant to a hotel at Peeragarhi to discuss how to settle their marriage and for the first time they had physical relationship over there. On 7th December, 2017 on the pretext of getting made a Mangalsutra of Gold chain the petitioner again took money thereafter he avoided the phone calls and her chats. After some efforts the petitioner gave a cheque to the complainant which on presentation was dishonoured due to insufficient funds on 9th February, 2018.

4. On 4th May, 2018 after the complaint was received the complainant on the same day refused to take any legal action on the complaint, however, came back on 19th May, 2018 and insisted again on pursuing the complaint stating that the petitioner pressurized her parents not to get the FIR register.

5. From the allegations as noted it is apparent that when the petitioner allegedly entered into physical relationship with the complainant, she was aware of the fact that the petitioner is already married and no divorce has been granted between petitioner and his wife. The petitioner has been in custody since 20th May, 2018 and the trial is likely to take some time. Thus this Court deems it fit to grant bail to the petitioner. It is, therefore, directed 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 learned Trial Court.

6. Petition is disposed of.

7. Order dasti.

MUKTA GUPTA, J.

JANUARY 29, 2019

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