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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 3145/2019

RAHUL KHAN

..... Petitioner

Through: Mr. Jai Parkash, Adv.

versus

STATE

..... Respondent

Through: Mr. Sanjeev Sabharwal, APP for
State

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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03.03.2020

The applicant seeks grant of bail in the instant case submitting to the effect that he has been falsely implicated in relation to FIR No.232/2017, PS Dwarka North, under Sections 363/366/376 of the Indian Penal Code, 1860 and Section 4 of the POCSO Act.

Reliance is also sought to be placed on behalf of the applicant on the order dated 11.08.2017 of the Hon'ble High Court of Allahabad, in which protection was granted to Priyanka Khan and others i.e. stated to be inclusive of the applicant herein in view of their stated marriage on 05.08.2017. It is essential to observe that the copy of the said order dated 11.08.2017 of the Hon'ble High Court of Allahabad specifically observes vide para 2 thereof, which reads to the effect:

“Learned counsel for the petitioners submits that the first petitioner by birth is Hindu and now she has accepted the Islam. Both the petitioners are major and have solemnized their marriage with each other according to Muslim Rites

and Custom on 05.08.2017. He has placed his reliance to a judgment of Hon'ble Supreme Court in Perumal Nadar v. Ponnuswami reported in LAWS (SC)-1970-3-26 in support of his submission. No F.I.R. has been registered against them."

that no FIR had been registered.

Placed on record in the instant case is the FIR No. 232/2017, PS Dwarka North, District South-West, Delhi dated 25.07.2017 which is prior to the date 11.08.2017 which apparently appears to have not been placed before the Hon'ble High Court of Allahabad, qua which, it is submitted on behalf of the applicant that that the applicant was not aware of the lodging of any FIR.

Learned counsel for the applicant seeks to withdraw the present petition, which is thus dismissed as withdrawn, as prayed.

ANU MALHOTRA, J

MARCH 03, 2020

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