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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2996/2019**
SUJEET KUMAR JHA Petitioner
Through Mr. Sujit Kumar Jha, Adv.

versus

STATE Respondent
Through Mr. Amit Chadha, APP for State
SI Ashok Kumar, PS Prem Nagar

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER
% **25.02.2020**

Vide present petition, the petitioner seeks directions thereby to grant him bail in FIR No. 554/2019 dated 10.10.2019 registered at Police Station Prem Nagar, Delhi for the offence punishable under Section 376 IPC.

On the last date of hearing, this Court observed as under:

“Pursuant to the directions issued by this Court, the petitioner has been produced from the jail and complainant is also present in the Court.

On the last date of hearing, learned counsel for the petitioner had submitted before this Court that the petitioner and complainant had known each other for the last 10-12 years and were very close friends for the last 8-9 years. They had sexual relations on a number of occasions and wanted to marry each other. However, when the parents of the complainant approached the parents of the petitioner for fixing a date for marriage, some dispute arose due to which the complainant made a call to PCR and levelled allegations of rape against the petitioner, which led to registration of the afore mentioned FIR.

The petitioner and complainant, jointly state that even

today, they love each other and intend to marry and pray that for the aforesaid purpose, the petitioner be released on bail.

In view of the facts and circumstances of the present case and also considering the fact that the complainant and petitioner-accused have been friends for the last 8-9 years and want to marry, therefore, this Court should not come in their way as both of them, being adults, can take their own decisions.

Accordingly, I hereby direct that the petitioner-accused be released on bail till the next date of hearing, on furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Trial Court.

Renotify on 25.02.2020 on which date both the petitioner and complainant shall personally remain present in the Court.”

Learned APP has verified the factum of marriage of petitioner/accused and prosecutrix which was solemnized on 12.01.2020 in Arya Samaj Mandir (Trust), 71-72, IInd floor, Gokhale Market, behind Tis Hazari Courts, Opp. Gate No.4, Near Telephone Exchange, Delhi-110054.

Accordingly, order dated 09.12.2019 is hereby confirmed.

The petition is, accordingly, disposed of.

Order *dasti*.

SURESH KUMAR KAIT, J

FEBRUARY 25, 2020

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