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

+ **BAIL APPLN. 2669/2019**

SHIV KUMAR @ SHIBU

..... Petitioner

Through: Ms. Ankita Agarwal and Mr. Nand
Lal Kr. Mishra, Advs.

versus

STATE NCT DELHI

..... Respondent

Through: Mr. Amit Chadha, APP for State with
SI Jagjeewan Ram, PS - Badarpur

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

06.02.2020

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Present application is filed under Section 439 Cr.P.C. seeking grant of bail in FIR No. 290/2016 registered at Police Station – Badarpur, Delhi for the offence punishable under Sections 363/376 IPC and Sections 4 and 6 of POCSO Act.

The petitioner is in judicial custody since 01.08.2016. Charges have already been framed. Three witnesses have already been examined out of twenty witnesses.

It is not in dispute that due to physical relations between petitioner and complainant, male child was born and the said child is in custody of Nirmal Chhaya. Petitioner submits that he is ready to marry prosecutrix, however, parents of the prosecutrix, who are present in Court, have strongly opposed and rejected the marriage proposal.

Keeping in view the facts and circumstances of the case, this Court is of the considered view that present case is fit for bail. Accordingly, applicant shall be released on bail on his furnishing personal bond in the sum of ₹10,000/- with one surety of the like amount to the satisfaction of Trial Court.

The application is allowed and disposed of.

Order *dasti* under the signatures of Court Master.

Copy of this order be transmitted to the Jail Superintendent and the Trial Court concerned for necessary compliance.

SURESH KUMAR KAIT, J

FEBRUARY 06, 2020

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