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

+ **BAIL APPLN. 91/2020**

PRADEEP GANGWAL Petitioner

Through: Ms Jyoti Gupta, Advocate.

versus

STATE Respondent

Through: Ms Meenakshi Chauhan, APP for
State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **20.02.2020**

1. The petitioner has filed the present petition seeking anticipatory bail in connection with FIR No. 341/2019 under Section 354A of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012 registered with PS Khyala.
2. The said FIR was registered at the instance of the complainant. She had alleged that the petitioner had established physical relationship with her on the pretext of marriage. She had also alleged that she has a child from the petitioner. In addition, she also alleged that the petitioner had molested her daughter on 14.08.2017.
3. The petitioner disputes the aforesaid allegations. It does appear from the record that the petitioner had initially filed a complaint on 20.07.2018. He had stated that he was running a shop of readymade garments at A-313, Raghuveer Nagar, New Delhi and the complainant used to visit the said shop

as a customer. He had stated that over a period of time, he had become friends with the complainant and she had called him to her house. He alleged that she gave him something to eat and drink and thereafter, dragged him into the room and took his photographs in an objectionable condition. And, thereafter, she had used the said photographs to blackmail him. He also alleged that the complainant was pressurising him to get married and had, further, threatened that if he does not do so, he would be falsely implicated. He also complained that she was demanding ₹5,00,000/- from him.

4. Apparently, subsequent to the petitioner filing the aforesaid complaint with the SHO, PS Khyala, the complainant also filed a complaint dated 07.08.2018. The said complaint is not on record but it is apparent from other documents on record that the complainant had, in her complaint, made several allegations against the petitioner including allegations of misbehaviour with her and her daughter.

5. Thereafter, the complainant settled the disputes with the petitioner and a Settlement Agreement dated 10.08.2018 was executed. In the said Settlement Agreement, she stated that she had made a complaint with the police station as she was annoyed with the petitioner. She, unequivocally, stated that the petitioner had neither misbehaved with her nor done anything wrong with her or her daughter. In terms of the said settlement, the petitioner paid a sum of ₹6,00,000/- towards full and final settlement of her claims. A copy of the said Settlement Agreement as well as the copies of the demand drafts given by the petitioner have been placed on record.

6. The complainant has once again made a complaint, which is subject

matter of the FIR in question. It appears that the complainant has had a change of heart and is once again attempting to prosecute him and to this end, has now made further allegations.

7. This Court is informed that the petitioner had joined the investigation and a chargesheet is at the final stages of preparation. There is no allegation that the petitioner has not cooperated with the investigation officer.

8. Considering the above, the present petition is allowed and the petitioner is directed to be released on bail on his furnishing a personal bond in the sum of ₹10,000/- with two sureties of an equivalent amount to the satisfaction of the concerned Trial Court. This is also subject to the following further conditions: (a) the petitioner shall appear before the concerned Court as and when required; (b) the petitioner shall also not leave the National Capital Territory of Delhi without the permission of the Trial Court; and (c) he shall provide his contact to the IO details and ensure that he is reachable at all times.

9. The petition is disposed of in the aforesaid terms.

10. Order *dasti* under signature of the Court Master.

FEBRUARY 20, 2020
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VIBHU BAKHRU, J