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

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Judgment delivered on: 28.09.2020

+ BAIL APPLN.1430/2020

ABHINANDAN SINGH

..... Petitioner

versus

THE STATE (NCT OF DELHI)

.....Respondent

Advocates who appeared in this case:

For the Petitioner:	Mr. Tarun Goomber with Mr. Saurabh Singh Ahluwalia, Advocate.
For the Respondent:	Ms. Kusum Dhalla, APP. Ms. Mallika Parmar, Advocate for the complainant.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner seeks anticipatory bail in FIR No. 56/2020 at Police Station Wazirabad, Delhi under Section 376/323 of the IPC.
3. The case of the prosecutrix is that the petitioner became friends with her in Lucknow (UP) and thereafter he took her to a temple on the pretext of getting married and put vermilion on her forehead. Thereafter he came to Delhi for preparation of UPSC Examination and after one month called her to Delhi to stay with him. They stayed together for some time. It is contended that on 20.09.2018, petitioner

made forceful physical relations with her and though she continued to request him to marry her by performing regular marriage ceremony, however, he did not do so.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated and as per his instructions petitioner is lawfully married to the complainant. He submits that there is unexplained delay in making the complaint as the complaint has been made only in February, 2020 whereas there are allegations of forceful relations of September, 2018.

5. By order dated 29.06.2020 petitioner was directed to join investigation. Learned APP under instructions submits that petitioner has joined investigation as and when required by the Investigating Officer. She submits that the investigation is complete and charge sheet has already been filed.

6. Without commenting upon the merits of the case and keeping in view the fact that petitioner has joined investigation as and when so required by the Investigating Officer, in the event of arrest on petitioner furnishing a bail bond in the sum of Rs. 50,000/- with one local surety of the like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO concerned, petitioner shall be released on bail. Petitioner shall not do anything which may prejudice the trial or the prosecution witnesses. Petitioner shall provide his permanent residential address as also the address at which he would be residing from time to time to the Investigating Officer. Petitioner

and his surety shall provide their mobile number to the Investigating Officer and petitioner shall keep the mobile active and in case of change of the address as also the mobile number, petitioner shall provide the same to the Investigating Officer.

7. Petition is allowed in the above terms.

8. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.

SANJEEV SACHDEVA, J.

SEPTEMBER 28, 2020

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