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

+ **BAIL APPLN. 2369/2020**

PARAS SHARMA

..... Petitioner

Through

Mr. Roshan Saini, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Through

Mr. P. L. Sharma, APP for State.

Ms. Anu Narula, Adv. for
complainant

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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07.09.2020

The hearing has been conducted through video conferencing.

1. Present petition has been filed by the petitioner under section 439 Cr.P.C. for grant of regular bail in pursuance to FIR No.469/2019 for the offences punishable under Sections 354A/354D/506/392/411 IPC r/w 10/12 POCSO Act, registered at Police Station Moti Nagar, New Delhi.
2. Learned APP and counsel appearing on behalf of the prosecutrix have opposed the present petition by stating that petitioner and prosecutrix are neighbours. Petitioner followed her when she used to go to school/tuition. He made her take off her clothes and took her obscene pictures by threatening her with a knife. He has been threatening her saying that he will circulate her pictures on social media if she does not obey him and also asked her to marry him. The prosecutrix states in the complaint that he later uploaded those pictures on tik-tok which she found out from her friend. The said fact has been stated by her in her statement recorded under Section 164 Cr.P.C.
3. In addition to above, petitioner also robbed her mobile phone on the

point of knife, which was also recovered from the petitioner at the time of investigation. On 02.11.2019, three coloured photographs were also seized from the complainant.

4. As per chats and photographs which are on record, it seems that petitioner and prosecutrix were friends from past four years and were having love affair. Chats and photographs from the prosecutrix's phone do not indicate any harassment, torture or stalking. The age of the prosecutrix is 17 years. Petitioner was arrested on 18.11.2019. Charge sheet has already been filed. Charges are yet to be framed and the trial shall take substantial time, thus, without commenting on the merits of the prosecution case, I am of the view that the petitioner deserves bail.

5. Accordingly, he shall be released on bail forthwith on his furnishing a personal bond of Rs.25,000/- and a surety of the like amount to the satisfaction of the Trial Court

6. Petitioner shall not directly or indirectly influence any witness or tamper with the evidence.

7. The Trial Court shall not get influenced by the observation made by this Court while passing the order.

8. The petition is, accordingly, allowed and disposed of.

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

10. The order be uploaded on the website forthwith.

SURESH KUMAR KAIT, J

SEPTEMBER 07, 2020/ms