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

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Date of Decision: 14.02.2020

+ **BAIL APPLN. 2976/2019**

DEEPAK KUMAR

..... Petitioner

Through: **MR.Kuldeep Mansukhani,**
Advocates.

versus

THE STATE OF DELHI

..... Respondent

Through: **Mr. Raghuvinder Varma,**
Additional Public Prosecutor
for respondent/State with
SI Bhagwat Prasad: PS
Nangloi.
Mr. Sarvesh Kumar,
Advocate for complainant.

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

J U D G M E N T

BRIJESH SETHI, J (ORAL)

1. Vide this order, I shall dispose of a bail application filed under section 439 Cr.P.C on behalf of the petitioner **Deepak Kumar** in FIR No. 334/2019 u/s. 328/376D/384/34/506 IPC, PS Nangloi.

2. Ld. Counsel for the petitioner has prayed for bail on the

ground that petitioner is innocent and has been falsely implicated. Petitioner is in custody since 09.07.2019. It is submitted that complainant has made false averments of being sexually assaulted while she was working with the petitioner. It is further submitted that prosecutrix had performed marriage with the petitioner on 12.12.2018. It is further submitted that petitioner does not have any criminal antecedents and his custodial interrogation is not required by the police. It is, therefore, therefore, prayed that petitioner be released on bail.

3. Ld. APP for the State has opposed the bail petition on the ground that the allegations against the petitioner are serious in nature. It is further submitted that on the pretext of showing her nude video, not only petitioner but some other persons had also raped the victim many times and also extorted money from her. Ld. APP, has therefore, prayed for dismissal of bail application.

4. I have considered the rival submissions. As per prosecution version, prosecutrix made a compliant on 09.07.2019 alleging that in July 2015, at about 4 p.m. petitioner Deepak forcibly raped her in a godown and made video of the incident. It is further alleged that

during winter in 2015, petitioner along with one boy again raped her in a hotel and also made video of the incident. Petitioner also extorted money and snatched credit and debit card of the prosecutrix. On 01.03.2018, she got aborted and thereafter Deepak forcibly married her. On 17.01.2019, accused Deepak and his sister-in-law Deepa called her in their house and locked her in a room where one Naveen raped her. On the basis of compliant made by the prosecutrix, a case under Section 328/376D/384/506/34 IPC was registered. During the course of investigation, petitioner was arrested on 10.07.2019 and credit and debit card of victim was got recovered from him. Accused Deepa was also arrested on 18.07.2019. Statement of prosecutrix under Section 164 Cr.P.C. was also got recorded wherein she has supported her initial statement.

5. The above allegations appearing against the petitioner are serious in nature. Petitioner has threatened the victim of uploading her nude video and raped her several times. He has also extorted money by threatening the victim. The petitioner and her sister-in-law Deepa had also called the prosecutrix in their house on 17.01.2019 where she was locked in a room and co-accused Naveen

also raped her. Credit and debit card of victim have been recovered from the petitioner. Keeping in mind the nature and gravity of offence, no grounds for bail are made out at this stage. The bail application is, therefore, dismissed and stands disposed of accordingly.

BRIJESH SETHI, J

FEBRUARY 14, 2020

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