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

+ **BAIL APPLN. 3245/2022 & CRL.M.(BAIL) 1338/2022**

NEKPAL SINGH

..... Petitioner

Through: Mr. Rohan Thawani, Advocate
through VC.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Shubhi Gupta, APP for the State.
Insp. Manu, P.S. Kalkaji.

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Date of Decision: 5th July, 2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

BAIL APPLN. 3245/2022 & CRL.M.(BAIL) 1338/2022

1. Present petition has been filed for anticipatory bail in case FIR No. 848/2021 dated 31.12.2021, P.S. Kalkaji, U/s 363/366A & 376 IPC & U/s 6 POCSO.

2. Learned counsel appearing for the petitioner submits that the petitioner is around 62 years of age and is a practicing advocate at Badayun. Learned counsel submits that in fact the petitioner in the capacity of advocate has merely given the legal advice to co-accused Raju and the prosecutrix. It has been submitted that as per his instruction the Raju and the prosecutrix have already got married and are living together.



3. Learned counsel further submits that in pursuance of the directions of this Court the petitioner has been joining the investigation. It has further been submitted that, therefore, the petitioner may be admitted to bail.

4. Learned additional PP submits that in fact it was the petitioner who forged the documents regarding the proof of age of the prosecutrix and facilitated the marriage between accused Raju and the prosecutrix. Learned additional PP has however fairly submitted that petitioner has been joining the investigation. It has also been submitted that the accused Raju has already been released on bail.

5. I have considered the submissions, the petitioner is a practicing advocate of around 62 years of age, the allegations against him are that he forged certain documents regarding the date of birth of the prosecutrix. It is also matter of record that main accused Raju has already been admitted to bail and the petitioner has been joining investigation.

6. Thus taking into account the facts and circumstances, the petitioner is admitted to anticipatory bail on furnishing of a personal bail bond of Rs. 20,000/- with one surety of the like amount to the satisfaction of learned Trial Court subject to the following terms and conditions:

- a. the petitioner shall cooperate in the investigation and appear before the Investigating Officer of the case as and when required;
- b. the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;



- c. the petitioner shall provide his/her mobile number(s) to the Investigating Officer and keep it operational at all times;
- d. In case of a change of residential address and/or mobile number, the petitioner shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit; and

DINESH KUMAR SHARMA, J

July 5, 2023/MR..

