



\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 982/2023**
MOHIT SINGHAL

.....Petitioner

Through: Ms.Anshu Priyanka, Advocate.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP
Mr.Kunar Piyush Pushkar with
Mr.Vikas Pal, Advocates for
prosecutrix/complainant.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

26.09.2024

%

1. An application under Section 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for regular bail in FIR No.534/2022, under Sections 420/376/493/494/384 IPC, registered at P.S: Mansarovar Park.

2. In brief, as per the case of prosecution, complainant alleged that she had lost her husband during Covid-19 and had received an amount of Rs.65 lakhs as insurance, gratuity etc. On making a profile on 'Divorcee Matrimony', she came in contact with the petitioner who represented himself as Orthopaedic surgeon, working in a Government hospital and proposed her for marriage. Petitioner further informed complainant that he is building a hospital and took an amount of Rs.80 lakhs in total from the complainant on several occasions. Petitioner is further alleged to have



forcefully established sexual relations with the complainant after assuring that they would marry. Subsequently, it was revealed to complainant that the petitioner is already married. Complainant also alleged that on 10.05.2022, petitioner took her to District Court, Surajpur Noida and allegedly solemnized marriage by getting some documents signed to deceive her.

It was further revealed during investigation that petitioner misrepresented himself as a doctor and was already married with a three year old daughter and had also contacted another woman on Divorcee Matrimony website and married her on 12.05.2022.

3. Learned counsel for petitioner submits that transactions with the complainant were purely financial in nature and allegations have been falsely levelled for purpose of recovery of amount. She further denies any sexual relationship between complainant and petitioner at any point. She further submits that the case of the prosecution that the petitioner has also married another woman on the Divorcee Matrimony website is false, since no FIR was registered in this regard.

4. On the other hand, application is vehemently opposed by learned APP for State alongwith learned counsel for prosecutrix and submits that during investigation, it was established that petitioner had married for the second time without obtaining divorce from the first marriage. It is pointed out that petitioner had come in contact with the complainant on the Divorcee Matrimony website, which reflects that there was an intention to cheat the complainant as petitioner was not divorced at the relevant time.

5. In rebuttal it is submitted by learned counsel for the petitioner that the petitioner has been discharged for offences under Section 493/494 IPC and allegations of sexual encounter have been falsely levelled.



Admittedly, petitioner had misrepresented himself to be a divorcee on the website, which reflects the dishonest intention from inception. Petitioner further married another women without obtaining divorce from the earlier marriage and the same reflects his propensity to dupe women by misrepresentation and concealment of facts.

Considering the facts and circumstances and evidence on record, no grounds for bail are made out. Application is accordingly dismissed. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J

SEPTEMBER 26, 2024/VLD