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

+ **BAIL APPLN. 2115/2023**

PANKAJ

..... Petitioner

Through: Ms.Renu, Mr.Vicky Rexwal, Mr.Akhil
Rexwal and Ms.Shivani Verma, Advocates with
petitioner in person

versus

STATE

..... Respondent

Through: Mr.Sanjeev Sabharwal, APP for State
with SI Akshay, PS Shaheen Bagh

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

16.01.2024

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1. The present application has been filed under Section 439 read with Section 482 Cr.P.C. seeking regular bail in FIR No.136/2023 registered under Sections 376 IPC and Section 6 POCSO Act at Police Station Shaheen Bagh, Delhi.

2. Learned counsel for the petitioner/applicant submits that the applicant has been falsely implicated in the present case and that he was arrested on 04.04.2023. He submits that the applicant and the family of victim were neighbours and that there were frequent quarrels between them. One such quarrel took place on 02.04.2023, whereafter the present case came to be registered. It is further contended that the applicant was released on interim bail on 01.12.2023 whereafter, with the mutual consent of the applicant and



the prosecutrix as well as their family members, the applicant and prosecutrix have solemnized their marriage on 20.12.2023.

3. The prosecutrix is now a major, which fact is verified by the Investigating Officer. Prosecutrix, who is present in Court, has been identified by the Investigating Officer and she submits that she has no objection to the grant of regular bail. The prosecutrix has been examined in Court and a copy of her testimony is also placed on record. At the time of her examination, she stated that she was 18 years and that she had established physical relations with the applicant with consent/out of her own accord. Records further reveal that the prosecutrix had denied for the internal examination and that no samples/exhibits were collected. The factum of marriage of the applicant with the prosecutrix has also been verified and a status report to that effect has also been placed on record. It is further noted that the applicant is already on interim bail.

4. Considering the facts noted hereinabove, the interim bail granted to the applicant vide order dated 01.12.2023 is made absolute on the bond already furnished before the concerned Jail Superintendent/Duty M.M./concerned Court and on the same terms and conditions.

5. The bail application is disposed of in the above terms.

6. Copy of the order be communicated to the concerned Jail Superintendent for information.

7. Copy of the order be uploaded on the website forthwith.

MANOJ KUMAR OHRI, J

JANUARY 16, 2024

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