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

+ **BAIL APPLN. 2443/2023**

MANJEET CHAUDHARY Petitioner

Through: **Mr. Pradeep Teotia, Adv.**

versus

STATE (GOVT. OF NCT OF DELHI) Respondent

Through: **Mr. Ritesh Kumar Bahri, APP with
Mr. Lalit Luthra, Adv. for State with
SI Rakhi, Police Station Jyoti Nagar**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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01.05.2024

1. The present petition has been filed seeking anticipatory bail in connection with FIR No.434/2023 under Sections 376D/328 of the Indian Penal Code, 1860 and Section 10 POCSO Act, registered at PS Jyoti Nagar.
2. Learned counsel appearing on behalf of the petitioner submits that the prosecutrix and the petitioner are neighbours and the relationship between them was consensual in nature. It is submitted that only when the aforesaid fact came to the knowledge of brother-in-law and husband of the prosecutrix, the present FIR was registered.
3. The brief facts of the present case have been noted by this Court in the order dated 26.07.2023 and while issuing notice on the said date, this Court had directed that no coercive action be taken against the petitioner subject to his joining investigation.
4. Learned counsel for the petitioner submits that the petitioner has joined investigation as and when he was directed by the concerned



Investigating Officer, which position is not disputed by the learned APP appearing on behalf of the State.

5. The learned APP further submits that the investigation has now concluded and charge sheet has been filed and the petitioner is not required for further investigation. He also submits that the mobile phone of the petitioner has already been seized and sent to FSL.

6. Learned counsel for the complainant submits that on behalf of the petitioner threats were extended to the prosecutrix and the complaints in this regard were made by the prosecutrix in the months of July and October, 2023.

7. In response, the learned APP appearing on behalf of the State invites attention of the Court to the status report dated 20.03.2024 to contend that the complaints which were made by the prosecutrix were examined but the allegations made therein could not be substantiated by the prosecutrix.

8. In view of the fact that the petitioner has joined investigation and is also not required for any further investigation, it is directed that in the event of petitioner's arrest, he be released on bail subject to his furnishing personal bond in the sum of Rs. 25,000/- and a surety bond of the like amount to the satisfaction of the Investigating Officer / Arresting Officer, further subject to the condition that he will join investigation as and when directed by the IO concerned and further subject to the condition that the petitioner shall not contact the prosecutrix or any other witness.

9. The petition stands disposed of.

VIKAS MAHAJAN, J

MAY 1, 2024/ns