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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1981/2024, CRL.M.A. 17605/2024**
DINESH CHANDPetitioner

Through: Mr. Vaibhav Dubey, Ms. Aishwarya
Singh and Mr. Himanshu Sayena,
Advs.

versus

STATE OF NCT OF DELHIRespondent
Through: Ms. Manjeet Arya, APP for State with
SI Jaivind Kumar, PS Jamia Nagar.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

19.09.2024

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1. An application under Section 438 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of petitioner for grant of anticipatory bail in FIR No. 683/2016, under Section 363IPC, registered at P.S.: Jamia Nagar. Chargesheet was filed under Sections 376/363/174(A) IPC and Section 6 of POCSO Act.

2. In brief, as per the case of prosecution, present FIR was registered under Section 363 IPC on 08.07.2016, on complaint of father of victim, who alleged that on 07.07.2016, his daughter 'S' aged 14 years had gone to the market and did not return home. Further he casted suspicion on Mukesh (brother of petitioner). Thereafter, on 24.04.2017, the victim was recovered from the house of Mukesh in Etah, U.P. and was taken to Safdarjung Hospital for medical examination, wherein in history, it was recorded that victim had run away in July 2016 and married Mukesh in October 2016.



3. Learned counsel for petitioner submits that allegations against the petitioner, who is brother of Mukesh, were made by the victim only during her examination before the learned Trial Court. Further the same were never levelled during course of investigation or in statement under Section 164 Cr.P.C.

4. Learned APP for the State fairly submits that the aforesaid factual position is not disputed and the petitioner has already joined the investigation after the grant of interim protection vide order dated 05.06.2024 passed by the Vacation Bench. A supplementary chargesheet is also stated to have been filed thereafter.

5. Considering the totality facts and circumstances of the case, in the event of arrest, petitioner be admitted to bail on furnishing a personal bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand only) each with one surety in the like amount to the satisfaction of Trial Court.

Application is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to learned Trial court for information and compliance.

ANOOP KUMAR MENDIRATTA, J

SEPTEMBER 19, 2024

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