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

+ **BAIL APPLN. 2070/2024**

**GUDDU KUMAR**

.....Petitioner

Through: Mr. Neeraj Kumar, Mr. Harshvardhan  
Sharma, Mr. Ashutosh Kumar  
Pandey, Advs.

versus

**STATE (N.C.T. OF DELHI)**

.....Respondent

Through: Mr. Satish Kumar, APP for State and  
SI Vishal, PS Mayur Vihar.  
Mr. Rajeev Singh, Adv. for  
complainant.

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**20.08.2024**

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1. The present application has been filed seeking anticipatory bail for securing the arrest under Section 438 Cr.P.C. on behalf of the applicant/accused Mr. Guddu Kumar.
2. The detailed facts have been noted by this Court in the order dated 14.06.2024, where the learned counsel for the applicant pointed out that the survivor, in her initial statements and medical examination, made no allegations of sexual assault against the applicant. The survivor first mentioned these allegations on 12.03.2024, when she was produced before the CWC Cell. Furthermore, the FIR filed by the survivor's mother states that the survivor is over 16 years old. The applicant



contends that he and the survivor were married. The order reveals that the first time allegations of sexual assault were made by the survivor was when she appeared before the CWC Cell. It is also a matter of record that the survivor had married the applicant.

3. Learned counsel for the complainant has also endorsed the factum of marriage between the parties. Learned APP for the state submits the survivor being minor could not have married the petitioner. However, the legal validity of the marriage is yet to be ascertained.
4. It has been submitted that the petitioner has joined the investigation. The charge-sheet has already been filed qua the other accused persons and they have already been admitted to bail.
5. In the facts and circumstances of the case, the petitioner is admitted to anticipatory bail on furnishing a personal bond of Rs. 20,000/- with one surety of the like amount subject to satisfaction of Ld. Trial Court subject to the following 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 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.



- e) the petitioner shall also inform the investigation officer about any change in their address.
6. In view of the above, the present application stands disposed of.

**AUGUST 20, 2024/AR/NA..**

**DINESH KUMAR SHARMA, J**