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

+ **BAIL APPLN. 3214/2023**

NIKHIL RATHORE

..... Petitioner

Through: Ms. Saahila Lamba, Advocate.

versus

STATE NCT OF DELHI

..... Respondent

Through: Ms. Shubhi Gupta, APP for the State
with SI Kavindra Singh, PS: BH Rao.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

21.03.2024

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1. This is an application filed on behalf of the Applicant Nikhil Rathore S/o Sh. Raj Kumar Rathore under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.274/2023 dated 21.07.2023 under Section 408 IPC registered at PS: Bara Hindu Rao.
2. During the pendency of the present proceedings, a settlement has been arrived at between the Applicant and the Complainant. Copy of settlement agreement/compromise deed executed on 07.12.2023 has been placed on record, wherein it is stated that the Complainant does not want to proceed further with the complaint and that the compromise has been entered into without any pressure and coercion.
3. On the last date of hearing, learned APP had taken time to verify the genuineness of the compromise deed executed between the Applicant and Complainant.



4. Status report is handed over in Court and is taken on record wherein it is stated that in order to verify the genuineness of the settlement Agreement, the Complainant Ms. Ruchi Rathore was contacted telephonically. She is resident of Firozabad, U.P. and stated that settlement agreement has been executed between her and the Applicant. The husband of the Complainant Mr. Sachin Kumar had come to the Police Station and confirmed the veracity and genuineness of the Agreement. He also produced a copy of the settlement wherein he had signed as a witness.

5. Since the Complainant has settled the matter and the genuineness and the veracity of the settlement agreement now stands verified, it is directed that in the event of arrest, Applicant shall be released on bail, subject to furnishing a personal bond in the sum of Rs.20,000/- with one surety of the like amount, to the satisfaction of the IO and further subject to the following conditions:-

- i. Applicant shall not leave the country without prior permission of the Trial Court;
- ii. He shall furnish his mobile number to the IO and keep the same active at all times and shall not change the mobile number without prior intimation to the IO and the Trial Court;
- iii. He shall appear before the Trial Court on the dates of hearing;
- iv. He shall not, directly or indirectly, indulge in any illegal activity or make any inducement, threat or promise to any person associated with the case including the Complainant; and
- v. He shall furnish his current residential address to the IO and intimate any change in the same to the IO and the Trial Court by way of an affidavit.



6. Application stands disposed of in the aforesaid terms, making it clear that this Court has not expressed any opinion on the merits of the case.

JYOTI SINGH, J

MARCH 21, 2024/shivam