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

+ **BAIL APPLN. 2547/2024**

PREM PRAKASH

.....Petitioner

Through: Mr. Deep Chand, Mr. Ranveer Singh,
Mr. Rajesh Kumar, Mr. Pawan
Kumar Mittal, Mr. Susheela Prajapat,
Ms. Meera Nokhwal, Mr. Narayan
Singh Kataria and Mr. Parasa Ram,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for the State.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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23.07.2024

CRL.M.A. 21332/2024 (Exemption)

Allowed, subject to all just exceptions.

BAIL APPLN. 2547/2024

1. The Petitioner has approached this Court for grant of bail in FIR No.288/2023 dated 19.08.2023 registered at Police Station Shaheen Bagh for an offence under Section 363 IPC.
2. It is the case of the Petitioner that the present case arises out of a love relationship between the Prosecutrix and the Petitioner.
3. Learned Counsel for the Petitioner states that a reading of Section 161 CrPC statement shows that the Prosecutrix was about 15½ years at the time of filing of the FIR and on her own volition went with the Petitioner. It is



stated that the Petitioner and the Prosecutrix got married and since the Prosecutrix wanted to meet her parents, she came to Delhi to meet her parents. On her arrival at Delhi, the FIR has been lodged against the Petitioner. He states that the Petitioner is in custody for the last 11 months and the Prosecutrix has been examined.

4. Considering the nature of the case, this Court is not inclined to grant bail at this juncture. Learned Counsel for the Petitioner seeks permission to withdraw the instant bail application with liberty to approach the competent court and file a fresh application for grant of bail after the examination all the witnesses.

5. Permission and liberty, as prayed for, is granted.

6. The Trial Court is requested to examine the public witnesses as expeditiously as possible, preferably within four months from today.

7. With these observations, the petition is disposed of as withdraw along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 23, 2024

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