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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2567/2024

RAJKUMAR

.....Petitioner

Through: Mr. Rajesh Kumar Singh, Advocate

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Laksh Khanna, APP for State with
WSI Rekha Meena

Mr. Yashvardhan Singh and Ms. Deepti Ahuja,
Advocates for prosecutrix with prosecutrix in
person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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16.08.2024

1. By way of present application, the applicant seeks regular bail in FIR No. 272/2024 registered under Sections 376/506 IPC at P.S. Ambedkar Nagar, Delhi.
2. Learned counsel for the applicant submits that the applicant and the prosecutrix are related to each other and the present FIR has been lodged on account of some misunderstanding. He further submits that even otherwise, alongwith the chargesheet, the Investigating Officer has filed stills of some CCTV footage, which shows the applicant and the prosecutrix together in a *saree* shop. Further, reliance is also placed on the CDRs to show that they were constantly in touch via telephone. He further submits that the applicant is in custody since 21.05.2024. He further submits that the prosecutrix is a mature person and is aged about 27 years.
3. Learned APP for the State has opposed the bail application. He



submits that the trial is yet to begin and the statement of the prosecutrix is yet to be recorded. The prosecutrix, who is present in the Court, is identified by her counsel as well as by the I.O. Learned counsel for the complainant, on instructions, submits that he has no objection to the applicant being admitted to bail.

4. Having heard learned counsels for the parties as well as learned APP for the State, it appears that both the applicant and the prosecutrix are related to each other and were living in adjacent houses, further looking into the nature of allegations as well as considering the fact that both are mature and in view of the no objection given by the prosecutrix, it is directed that the applicant be released on regular bail, subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/ concerned Court/Duty M.M. and subject to the following further conditions:-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- v) The applicant shall regularly appear before the concerned



Court during the pendency of the trial.

5. The bail application is disposed of in the above terms.
6. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.
7. Copy of the order be uploaded on the website forthwith.
8. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

AUGUST 16, 2024

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