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

+ **BAIL APPLN. 2569/2024**

VISHAL SOLANKI

.....Petitioner

Through: Mr. Sandeep Sharma, Sr. Advocate
with Mr. Sarthak Nannan, Ms.
Konika Mitra, Mr. Hemant Verma,
Mr. Mayank Verma, Mr. Ajay
Solanki and Mr. Ankit Parindiyal,
Advocates

versus

STATE (THROUGH NCT OF DELHI)

.....Respondent

Through: Ms. Meenakshi Dahiya, APP for State
along with SI Om Yadav, PS Palam

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

18.12.2024

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1. The present bail application has been filed seeking anticipatory bail in case FIR No.0314/2024 registered under Sections 376/506/34 IPC at PS Palam Village, Delhi.
2. The case of the prosecutrix as stated in the status report is that the prosecutrix Ms. S lodged a complaint alleging therein that she met Abhishek Solanki/co-accused through her common friends around five years back and all of them used to go out, together, and normally used to visit various places including Manali, Kasol, Shimla and Kedar Nath. Allegedly, the co-accused promised to marry her. It was alleged that on 12.03.2024, Vishal Solanki, who is friend of Abhishek Solanki, called her and informed that Abhishek has consumed heavy drugs, and his condition is very bad. The



victim was called to Ramphal Chowk and upon her reaching there, Vishal allegedly asked the victim to take a room in The Leaf Hotel. Abhishek Solanki and the petitioner came to the hotel room. Allegedly, Vishal gave her a cold drink and went outside the room. It was alleged that after consuming the cold drink, the victim fainted and when she gained consciousness, Abhishek was lying naked besides her. It was alleged that Abhishek made physical relations with her and threatened her to viral her nude photos and videos. Abhishek also allegedly created a fake ID of the victim on Instagram and tagged “happy client @ 1VishalSolanki” and refused to delete her ID. Allegedly, on 21.04.2024 at around 8 PM, Abhishek Solanki along with Akaash, Vishal and Neetu came at the complainant’s house where they created a ruckus and threatened her.

3. The victim was medically examined. Statement under Section 164 Cr.P.C. was recorded. After investigation, the charge-sheet was filed. The allegation against the present petitioner is that he administered stupefying intoxicant to the victim.

4. Learned APP on instructions, stated that there is no statement of allegation of rape by the petitioner. However, learned APP submits that though the petitioner has joined the investigation, but he had given evasive replies.

5. Learned counsel for the petitioner submits that as per the status report dated 16.12.2024, the petitioner has joined the investigation as and when directed by the IO and has also handed over the mobile phone.

6. As per the status report the charge-sheet against the petitioner is being prepared and the same is to be filed before the trial court.



7. The perusal of the record indicates that the only allegation against the petitioner is that he gave some cold drink to the victim on 12.03.2024 and upon its consumption, she fainted whereafter Abhishek established physical relations with her. Another allegation is that the petitioner along with Abhishek Solanki and another person went to the victim's house on 21.04.2024 and created ruckus over there.

8. The petitioner has already joined the investigation. The status report indicates that the investigation is complete.

9. In these facts and circumstances, in the event of arrest the petitioner shall be released on bail on furnishing personal bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the concerned IO/SHO and subject to verification of his address and 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 under no circumstances leave India without prior permission of the Court concerned;
- c) the petitioner shall report to concerned SHO/IO once in a month;
- d) the Petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- e) the Petitioner shall provide his mobile number(s) to the Investigating Officer and shall keep it operational;
- f) In case of change of residential address and/or mobile number, the Petitioner shall intimate the same to the



Investigating Officer.

10. With the above directions, the present application stands disposed of.

DINESH KUMAR SHARMA, J

DECEMBER 18, 2024

N/KR