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

+ **BAIL APPLN. 2575/2024 & CRL.M.A. 21437/2024**

PANKAJ KUMAR

.....Petitioner

Through: Mr. Aditya Arora and Ms. Komal,
Adv.

versus

STATE OF GNCT DELHI

.....Respondent

Through: APP Meenakshi Dahiya with Adv
Mohit Sindhu, Adv Kadam, Adv
Silky Gupta, Adv Bijender Kumar
Jindal, Adv Mansi Mittal, Adv Gurjot
Singh Bhatia with SI Aarti, PS
Narela.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

24.07.2024

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1. This petition has been filed seeking regular bail in FIR No.782/2023 PS Narela under Sections 376 IPC and Section 6 of the POCSO Act. The complaint was registered at the behest of the mother of the victim stating that her daughter was missing since 09th December, 2023. Later, it transpired that the daughter was in a consensual relationship with the accused.
2. Both the mother of the accused and the complainant are present in Court along with the daughter. The complainant/mother states that she was not aware of the relationship, and now both the families are ready to get the accused and the complainant's daughter married when she achieves the age



of majority, which is after a couple of months. Accordingly, the complainant has no objection if the bail is granted to the accused.

3. In these circumstances, the petition is allowed and the bail is granted.

4. There is no objection on behalf of the APP for the State, in these facts and circumstances.

5. In light of the above, and that the trial in the matter is likely to take some time, and it would not be prudent to keep the petitioner behind bars for an indefinite period, this Court finds it to be a fit case for grant of bail to the petitioner. Consequently, the petitioner is directed to be released on bail on furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount subject to the satisfaction of the Trial Court, further subject to the following conditions:

- i. Petitioner will not leave the country without prior permission of the Court.
- ii. Petitioner shall provide permanent address to the Trial Court. The petitioner shall intimate the Court by way of an affidavit and to the IO regarding any change in residential address.
- iii. Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- iv. Petitioner shall join investigation as and when called by the IO concerned.
- v. Petitioner shall provide all mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the IO concerned.
- vi. Petitioner shall not indulge in any criminal activity.



Needless to state, but any observation touching the merits of the case is purely for the purposes of deciding the question of grant of bail and shall not be construed as an expression on merits of the matter.

6. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.
7. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
8. Copy of the order be given *dasti* under the signatures of the Court Master.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 24, 2024/MK