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

+ **BAIL APPLN. 3756/2023**

VIRENDER KUMAR SHARMA

..... Petitioner

Through: Mr. Rakesh Kumar Burman,
Advocate.

versus

THE STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Mahesh PS Welcome, Delhi.
Mr. Sachet Sharma, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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31.01.2024

1. The present application has been filed by the applicant/petitioner under Section 438 read with Section 482 Cr.PC. seeking anticipatory bail in FIR No. 361/2023 registered under Sections 498A/406/354/354A/506/34 at P.S. Welcome, Delhi.
2. Learned counsel for the applicant/petitioner states that the applicant is brother-in-law of the complainant and stays nearly 50 kms away from the place of the incident. The complainant has levelled false allegations against the applicant on account of her matrimonial dispute with her husband. Even as per the complaint, the allegations pertained to 27.10.2022 when *bhai duj* was being celebrated and all the family members were at home. The complaint however, was filed after a delay of about four months. Lastly, it is submitted that after grant of interim protection, the applicant has joined



investigation

3. The application is opposed by learned APP for the State duly assisted by learned counsel for complainant. He states that the complainant has supported the complaint in her statement recorded under Section 164 Cr.P.C. wherein she has reiterated that on 27.10.22, the applicant finding the complainant alone had inappropriately touched her by pushing her on the bed. It is also stated that the applicant has joined investigation and that the charge-sheet is likely to be filed. The status report handed over in court is taken on record.

4. Keeping in view the aforesaid facts and circumstances and the fact that the applicant has joined the investigation it is directed that in the event of arrest, the applicant be released on bail subject to him furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when, he is asked for.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the



evidence.

(vi) The applicant shall regularly appear before the trial Court as and when the charge sheet is filed.

5. The application is disposed of in the above terms.

MANOJ KUMAR OHRI, J

JANUARY 31, 2024/rd