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

+ **BAIL APPLN. 2786/2024**

SH. SATINDER SINGH CHHABRA

.....Petitioner

Through: Mr. N. Hariharan, Sr. Adv. with Mr.
Vaibhav Sharma, Ms. Bhavya Sethi,
Ms. Punya Rekha Angara, Mr. Aman
Akhtar, Ms. Rupali Sharma, Ms. Sana
Singh, Ms. Vasundhara N., Mr.
Vinayak Gautam, Adv.

versus

THE STATE OF N.C.T OF DELHI & ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP
W/SI Khushbu, PS Laxmi Nagar

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

27.11.2024

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1. This is a petition filed under Section 482 read with Section 528 of BNSS, 2023 seeking grant of anticipatory bail in F.I.R. No. 199/2024, under Sections 376(2)(n)/313 of IPC, registered at PS Laxmi Nagar, District: East (Delhi).
2. As per the F.I.R., it is stated that the petitioner established physical relations with the complainant on false pretext of marriage. Hence, the F.I.R. was filed.
3. When the matter came up for hearing before this Court on 07.08.2024, interim protection was granted to the petitioner.
4. I am of the view that in the present case, on the date of the F.I.R. as well as on the dates of establishing physical relations i.e. February, 2023, both the petitioner and the complainant were major and were aged about 36



years. Both the petitioner as well as the complainant had got married in the past and unfortunately, the first marriages could not work out.

5. The petitioner and the respondent No. 2 were adults and established physical relationship out of their own free consent.

6. In addition, the photographs also seem to suggest that it was a consensual relationship which has gone sour resulting in filing of the F.I.R.

7. As regards the allegation under Section 313 of IPC is concerned, Mr. Hariharan, learned senior counsel has drawn my attention to the WhatsApp chat between the petitioner and the complainant which seems to suggest that the medication for terminating the pregnancy was taken by the complainant/respondent No. 2 herself on her own accord.

8. I am also informed that the petitioner has joined investigation, cooperated and participated, and the charge sheet has already been filed.

9. Keeping in view the aforesaid facts and circumstances of the present case, the present petition is allowed. It is directed that in the event of arrest, the petitioner be released on bail subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety of like amount to the satisfaction of the concerned Investigating Officer and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the petitioner shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The petitioner shall inform the concerned Investigating Officer about his current residential address. In case of change of residential addresses/contact details, the petitioner shall promptly inform the same to the concerned



Investigating Officer/SHO.

- (iii) The petitioner shall join the investigation as and when asked.
 - (iv) The petitioner shall not leave India without the permission of the competent Court.
 - (v) The petitioner 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 petitioner shall regularly appear before the trial Court.
10. The application stands disposed of in the aforesaid terms.

JASMEET SINGH, J

NOVEMBER 27, 2024/sp

Click here to check corrigendum, if any