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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4103/2023**

RAVINDER THROUGH PAROKAR

.....Petitioner

Through: Mr. Rohit Singh, Mr. Sujit Kumar,
Mr. Vikram Singh Nayar, Mr. Prince
Kumar, Mr. Mohit Saini and
Ms. Kanika Saini, Advocates.

versus

STATE OF NCT DELHI & ORS.

.....Respondent

Through: Ms. Manjeet Arya, APP for State with
SI Karishma, PS: Dwarka South and
SI Mamta, PS: Dabri.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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27.09.2024

1. An application under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for grant of regular bail in FIR No. 0235/2022, under Sections 354/506 IPC & Section 10 of POCSO Act, registered at PS: Dwarka South.
2. In brief, as per the case of prosecution, present FIR was registered on 26.05.2022, on complaint of 'R' aged 16 years, who alleged that petitioner, her real uncle (*Chacha*) had molested her along with her sister 'v', aged 12 years, when their parents had gone to hospital.
3. Learned counsel for petitioner submits that Petitioner resides at his native village and had been residing in the premises for more than a month, which is owned by parents of petitioner, for purpose of admission of his 6 years old daughter in school. The present FIR is stated to have been lodged owing to dispute over property between petitioner and parents of complainant and an eviction petition is also stated to have been earlier preferred by the



mother of petitioner against the parents of complainant, which was later on withdrawn. It is pointed out that on the date of incident mother and sister of the petitioner were present on the ground floor of the premises.

4. On the other hand, learned APP opposes the application and submits that victims have supported the case of prosecution. She further submits that statement of the victims has been recorded and only IO is to be examined.

5. The defence of the petitioner that there were disputes within family on account of share in the property cannot be ignored at this stage. Petitioner is in custody since 26.05.2022 and there is no possibility of influencing the witnesses, since all the material witnesses have been examined. Considering the facts and circumstances, without expressing any opinion on the merits of the case, petitioner is admitted to bail on furnishing a personal bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand only) with one surety in the like amount to the satisfaction of the learned trial court and subject to the following conditions:

- (i) Petitioner shall provide his mobile number to the Investigating Officer (IO) / SHO concerned at the time of release;
- (ii) In case of change of address, petitioner shall intimate / communicate his fresh address to the IO / SHO concerned as well as learned Trial Court;

Application is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to the learned Trial Court and Superintendent Jail for information.

ANOOP KUMAR MENDIRATTA, J.

SEPTEMBER 27, 2024/R