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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4202/2023**

AMIL @ KAMIL @ RAHUL

..... Petitioner

Through: **Mr. J. S. Arya and Mr. Ajeya Singh,**
Advocates.

versus

STATE & ANR.

..... Respondents

Through: **Ms. Meenakshi Dahiya, APP with**
SI Satyam, PS: Pandav Nagar.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

31.01.2024

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1. An application under Section 439 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. 629/2023 under Sections 376/506 IPC and Section 4 of the POCSO Act registered at PS: Pandav Nagar, Delhi.
2. Learned counsel for the petitioner / applicant submits that present complaint had been registered at the instance of prosecutrix due to misconception between the parties. The alleged date of incident is stated to be 22.05.2023, though FIR was registered only on 15.09.2023. It is further submitted that applicant had been released on interim bail by learned Trial Court in order to enable the applicant as well as prosecutrix to solemnize marriage, which was performed on 17.11.2023. It is further pointed out that interim bail of the applicant was declined to be extended only on the ground that he had surrendered on 04.12.2023 instead of 02.12.2023 on the expiry of the bail, though applicant had appeared before the learned Trial Court on



02.12.2023 itself. The complainant / victim is stated to be aged about 17 years, 08 months at the time of incident.

3. Learned APP for the State submits that factum of marriage of applicant with prosecutrix, who is present in person, has been verified by the I.O. The application is also not opposed on behalf of the prosecutrix.

4. Considering the facts and circumstances of the case, petitioner is admitted to bail on furnishing personal bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount to the satisfaction of the learned Trial Court.

Application is accordingly disposed of.

A copy this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

JANUARY 31, 2024/R