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

+ **BAIL APPLN. 4015/2024**

ASHISH

.....Petitioner

Through: Mr. Neeraj Dahiya, Adv.

versus

STATE GOVT.OF NCT OF DELHI

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
for State
SI Sanjeeta PS Mukherjee Nagar
along with Complainant

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

04.12.2024

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1. This petition has been filed seeking anticipatory bail in FIR No.831/2024 dated 27th September 2024 registered at PS Mukherjee Nagar under Section 376 IPC.

2. Counsel for petitioner points out that the FIR was lodged at the behest of complainant in 2024 while the incidents complained of are from the year 2022, alleging that based on a promise to marry, the accused/petitioner had a physical and sexual engagement with her. He further contends that, as per the FIR itself, it would be evident that the petitioner and the complainant were living together, and their families had knowledge of the same.

3. Petitioner is stated to be a resident of Jhajjar, Haryana and is willing to join and cooperate in the investigation.

4. Interim protection was granted to the petitioner by order dated 5th November 2024 of this Court, subject to his joining and cooperating in the



investigation.

5. Status Report has been handed up today by the APP; same be placed on record of this Court before the next date of hearing.

6. It is informed by the APP that petitioner has joined investigation. After completion of the investigation, chargesheet under Sections 376/506/509/323/34 IPC has been filed without arresting the petitioner.

7. Prosecutrix/complainant is present in person today and states that she has been receiving threats from the petitioner, his father, and has also been approached by his other family members.

8. In these circumstances, the Court is of the considered opinion that the petitioner is entitled to anticipatory bail, however with a condition that the petitioner and/or his family members shall not, directly or indirectly, approach the complainant or her family/friends in any manner or visit the vicinity of the complainant's house or her workplace.

9. Consequently, in the event of arrest, the petitioner be released on bail on furnishing a personal bond in the sum of Rs. 25, 000/- with one surety of the like amount, subject to the satisfaction of the arresting officer/IO/SHO concerned, further subject to the condition that the petitioner will join investigation as and when directed and not influence any witness or complainant or tamper with evidence of the case.

10. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 4, 2024/sm/sc