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

+ **BAIL APPLN. 4478/2024, CRL.M.A. 36682/2024**

ANIL VAID

.....Petitioner

Through: **Mr. Neeraj Kumar Shah & Ms.
Simran Deep Singh, Advocates.**

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: **Mr. Hemant Mehla, APP for the State
with SI Akshay Dagar along with PSI
Sakshi Yadav and P.S. Shaheen Bagh.**

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

11.12.2024

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1. Present petition has been filed seeking regular bail in case FIR No. 91/2024, PS Shaheen Bagh u/s 376/370/372/374/377/323 IPC. The chargesheet has been filed under Section 376/370/372/374/377/323/342/506 IPC and Section 5(B)(m)(n) 16 POCSO Act.
2. Learned counsel for the petitioner submits that the petitioner has been in custody since 16.03.2024. It has been stated that FIR is highly belated and has been filed after a delay of about 20 years. Learned counsel further submits that the investigation has already been completed and the charge sheet has been filed. However, the trial may take a long time, therefore, the petitioner may be released on bail.
3. Learned APP submits that he has filed the status report however the same is not on record. Let it be brought on record. However the physical copy of the status report has been handed over in court today.



4. Learned Additional PP for the State submits that in the statement u/s 164 Cr.PC recorded on 18.03.2023 the prosecution has supported the case of prosecution.

2. Briefly stated the case of the prosecution is that on 16.03.2024 an information was received at PS Shaheen Bagh regarding an alleged wrongful act involving a girl under the age of 18 years. The prosecutrix on being enquired stated that she had come to Delhi 20 years ago along with some unknown girls from Odisha. In Delhi she was living in Gopinath area at an agency and from there the petitioner brought her to Rajokri area of New Delhi and she started living there on rent. The prosecutrix alleged that the petitioner had assaulted her sexually and at that time she was 7 years old. It was further alleged that the petitioner kept her in Rajokari for one year and after that he kept her in a rented room in Punjabi Bagh for 15 years and sexually assaulted her there also. The prosecutrix alleged that even though the petitioner got married in 2019, however, he continued to sexually assault her forcibly.

3. The perusal of the status report indicates that at the time of medical examination the complainant was around 35 years of age. The perusal of the statement u/s 164 Cr.PC also indicates that the last alleged sexual assault was around five years back in 2019. The statement u/s 164 Cr.PC also indicates that there was a quarrel between the prosecutrix and the wife of the petitioner after which allegedly, the wife of the petitioner gave beating to the prosecutrix and threw her goods out. The prosecutrix was allegedly not given her salary.

4. Without making any comments on the merits of the case and taking into account that the petitioner has been in custody since 16.03.0224, the



petitioner is admitted to regular bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of concerned learned Trial Court, subject to the verification of address and mobile number to be given and subject to the following further conditions:

- a. the petitioner shall regularly appear before the IO/trial court as and when directed;
 - b. the petitioner shall not directly or indirectly make any inducement, threat, intimidate or tamper with any person acquainted with the facts of the case;
 - c. the petitioner shall remain available on the address, to be given to the IO and shall not leave the country without the permission of the learned Trial Court;
 - d. In case of change of residential address and/or mobile number, the petitioner shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit.
6. In view of the above, the instant application stands disposed of.

DINESH KUMAR SHARMA, J

DECEMBER 11, 2024/pp