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

+ **BAIL APPLN. 417/2025 and CRL.M.A. 3002/2025**

AMARJOT SINGH

.....Petitioner

Through: Mr. Gurmehar Singh Sistani and Mr.
Samit Khosla, Advocates.

versus

THE STATE GNCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for the State.
SI Neetu, P.S.: Geeta Colony.
Mr. Aditya Singla, Advocate for the
prosecutrix alongwith prosecutrix

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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30.01.2025

CRL.M.A. 3007/2025 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

BAIL APPLN. 417/2025

By way of the present petition filed under section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks anticipatory bail in case FIR No.29/2025 dated 09.01.2025 registered under sections 376/506 of the Indian Penal Code, 1860 at P.S.: Geeta Colony, Delhi.

2. Mr. Gurmehar Singh Sistani, learned counsel appearing for the petitioner submits that though the essence of the allegation against the petitioner is that he made physical relations with the complainant/prosecutrix on the promise of marriage, the matter has got escalated by reason of misunderstanding between the parties.



3. Mr. Sistani submits, that the misunderstanding has now been resolved; the parties have signed a Memorandum of Understanding dated 24.01.2025 ('MoU'), a copy of which is appended to the petition; and regardless of what is stated in the MoU, the petitioner and the prosecutrix since performed a *roka* ceremony at the Gurdwara and intend to marry each other sometime soon.
4. Issue notice.
5. Ms. Manjeet Arya, learned APP appears for the State on advance copy; accepts notice; and opposes the grant of anticipatory bail submitting that the *roka* ceremony may be a ruse for the petitioner to evade proceedings in the present case.
6. Mr. Aditya Singla, learned counsel is present alongwith the prosecutrix in court. He confirms, that the parties have resolved their *inter-se* disputes; they have performed a *roka* ceremony; and that they intend to get married soon.
7. The court has interacted with the prosecutrix, who is an educated person and has categorically said that the parties are interested in getting married to each other; and that she does not oppose the grant of anticipatory bail to the petitioner.
8. Considering the contours of the matter and the circumstances obtaining in the case, this court is of the view that regardless of anything else, this is not a case where the Investigating Officer would require custodial interrogation of the petitioner.
9. In view of the above, this court is persuaded to allow the present petition for anticipatory bail, thereby directing that in the event of his



arrest, the petitioner shall be admitted to bail by the Investigating Officer/Arresting Officer, subject to the following conditions:

- 9.1. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- (Rs. Twenty-five Thousand Only) with 01 surety in the like amount from a family member to the satisfaction of the Investigating Officer/Arresting Officer;
 - 9.2. The petitioner shall furnish to the Investigating Officer a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
 - 9.3. If the petitioner has a passport, he shall surrender the same to the Investigating Officer and shall not travel out of the country without prior permission of this court; and
 - 9.4. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.
10. The petition stands disposed-of in the above terms.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 30, 2025/ak