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

+ **BAIL APPLN. 2968/2024**

SIMRAN SINGH

.....Petitioner

Through: Mr. Vikas Chhabra and Mr. Kartik Mittal, Advocates with petitioner in-person.

versus

STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for the State.
SI Mona, P.S.: Mukherjee Nagar.
Mr. Tushar Yadav and Ms. Ankita Sharma, Advocates for the complainant.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

07.02.2025

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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.639/2024 dated 06.08.2024 registered under sections 376/420/354/506/509/494/406/34 of the Indian Penal Code, 1860 at P.S.: Mukherjee Nagar, Delhi.

2. Pursuant to the notice issued on 21.08.2024, the State has filed Status Report dated 30.01.2025 in the matter.
3. The court has heard Mr. Vikas Chhabra, learned counsel appearing for the petitioner; Ms. Manjeet Arya, learned APP appearing for the State; as also Mr. Tushar Yadav, learned counsel appearing for the complainant/prosecutrix.



4. Learned APP submits that the petitioner has joined investigation as and when he was called; that investigation in the matter is complete and chargesheet has been filed; and that the matter is pending before the learned Magistrate for committal proceedings on 12.03.2025.
5. On instructions of the Investigating Officer ('I.O.') who is present in court, Ms. Arya submits, that the I.O. does not require the custodial interrogation of the petitioner.
6. Learned counsel appearing for the prosecutrix submits, that the prosecutrix's only apprehension is that since her husband has already absconded and is believed to be hiding in Canada, the prosecutrix is apprehensive that the petitioner in the present proceedings, who is her brother-in-law, will also flee and be unavailable for trial to evade the process of law.
7. In this regard, learned counsel appearing for the petitioner submits, that in compliance of para 18 of order dated 21.08.2024, the petitioner has furnished the particulars of his passport to the I.O.; and the I.O. is believed to have issued a written request to the Bureau of Immigration, Ministry of Home Affairs, Government of India to issue a 'look-out circular' to prevent the petitioner from leaving the country, with circular has been put-out against the petitioner. It is submitted therefore, that the petitioner would not be able to leave the country and the prosecutrix's apprehension is baseless.
8. The I.O. has shown to the court communication dated 04.09.2024 issued in compliance of para 18 of order dated 21.08.2024, whereby the I.O. has informed the Bureau of Immigration, Ministry of Home Affairs, Government of India, for issuance of the requisite instructions



to the Foreigners Regional Registration Office and Border Check-Posts to ensure that the petitioner does not leave the country.

9. Learned counsel for the petitioner submits, that additionally, the petitioner undertakes not to leave the country without the prior permission of this court.
10. The undertaking is taken on record.
11. In view of the above, this court is inclined 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:
 - 11.1. The petitioner shall furnish a personal bond in the sum of Rs.50,000/- (Rs. Fifty Thousand Only) with 02 sureties in the like amount from family members, to the satisfaction of the Investigating Officer/Arresting Officer;
 - 11.2. 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;
 - 11.3. 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
 - 11.4. 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.

12. The petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 7, 2025/ak