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

+ BAIL APPL. 2108/2020

ROSHAN Petitioner

Through: Mr. Lokesh Kumar Mishra,
Advocate.

versus

STATE GOVT OF NCT OF DELHI & ORS. Respondents

Through: Ms. Meenakshi Chauhan, APP for
State along with IO/SI Renu (M-
8800514616).
Prosecutrix in person along with
her mother.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

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27.11.2020

1. The present application has been filed under Section 438 Cr.P.C. on behalf of the petitioner seeking anticipatory bail in FIR No. 0416/2020 registered under Sections 376/313 IPC at Police Station Bhajanpura, Delhi.
2. Learned counsel for the petitioner submits that the present FIR has been lodged on account of misunderstanding between the parties and the complainant has already given request for re-recording of her statement under Section 164 Cr.P.C. He further submits that the petitioner is a Government servant. It is also submitted that in pursuance of the previous orders, the petitioner has joined investigation. It is further submitted that although the alleged incident was committed between the period from January, 2020 to June, 2020, however, the FIR came to be registered only on 12.07.2020.
3. Ms. Meenakshi Chauhan, ld. APP for the state has opposed the bail

application. It is stated that the prosecutrix has supported her allegations in her statement recorded under Section 164 Cr.P.C.

4. The prosecutrix as well as her mother have joined the V.C. proceedings and have been identified by the I.O./SI *Renu*, P.S. Bhajanpura. The mother of the prosecutrix submits that the petitioner has married the prosecutrix and she has no objection if the petitioner is released on anticipatory bail.

5. Keeping in view the totality of the facts and circumstances, it is directed that in the event of his arrest, the petitioner be released on anticipatory bail, subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the concerned Arresting Officer/I.O./SHO of the concerned Police Station and also subject to the following conditions:-

(i) The petitioner shall not leave the jurisdiction of NCT of Delhi without prior permission of the concerned Court.

(ii) The petitioner shall remain available on his mobile number i.e. 8287618760, which he undertakes to keep operational at all times during the period of trial.

(iii) In case of change of residential address or contact details, the petitioner shall promptly inform the same to the I.O./SHO.

(iv) The petitioner shall join investigation as and when required and shall also regularly appear before the trial Court as and when the charge-sheet is filed.

6. The application stands disposed of in the above terms.

MANOJ KUMAR OHRI, J

NOVEMBER 27, 2020/‘dc’