
(2018) 12 DEL CK 0073

In the Delhi High Court

Case No : Bail Application No. 272 Of 2017

Anand Swaroop

APPELLANT

Vs

State (GNCTD)

RESPONDENT

Date of Decision : 10-12-2018

Acts Referred:

Indian Penal Code, 1860 — Section 328, 376, 506
Protection of Children from Sexual Offences Act, 2012 — Section 6

Citation : (2018) 12 DEL CK 0073

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Satish Kumar, Hirein Sharma, Hemant Choudhary

Final Decision : Disposed Off

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks anticipatory bail in FIR No.419/2016 under Sections 376/328/506 IPC read with Section 6 of the POCSO Act, Police Station Moti Nagar.
2. By order dated 01.03.2017 petitioner was granted interim protection subject to joining investigation. Learned APP under instructions submits that the investigation is complete and chargesheet has already been filed and since petitioner was under protection chargesheet was filed without arrest.
3. In view of the above, learned counsel for the petitioner seeks leave to approach the Trial Court for consideration of his bail application.
4. In view of the above, the petition is disposed off with permission to the petitioner to file an application for seeking bail before the Trial Court within a period of one week.
5. In case petitioner files an application within one week, interim protection granted to the petitioner by order dated 01.03.2017 shall continue till the disposal of the application by the Trial Court. In case the Trial Court is inclined to

reject the application, the protection shall continue for a period of one week beyond the date of rejection.

6. It is clarified that the Trial Court shall be at liberty to decide the application without being influenced by anything stated in this order and in case petitioner fails to file an application within one week, the interim protection by order dated 01.03.2017 shall automatically lapse.

7. The petition is disposed of in the above terms.

8. Order Dasti under signatures of the Court Master.