
(2019) 05 DEL CK 0128
In the Delhi High Court
Case No : Bail Application No. 1406 Of 2019

Rahul@Lala

APPELLANT

Vs

State Of Nct Of Delhi

RESPONDENT

Date of Decision : 29-05-2019

Acts Referred:

Indian Penal Code, 1860 — Section 376, 506

Citation : (2019) 05 DEL CK 0128

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Anil Basoya, Meenakshi Dahiya, Arun Chaudhary

Judgement

CrI.M.A.11949/2019 (exemption)

Exemption is allowed subject to all just exceptions.

BAIL APPLN. 1406/2019

1. Petitioner seeks anticipatory bail in FIR No. 195/2019 under Sections 376/506 of the IPC registered at Police Station Ambedkar Nagar, Delhi.
2. As per the FIR, the prosecutrix knew the family of the petitioner for last 2-3 years as they were neighbours.
3. It is alleged that the prosecutrix is a divorcee having divorced her earlier husband in 2016. It is alleged that petitioner approached her and expressed her affection with her and thereafter he and his family promised that petitioner would marry the prosecutrix. Subsequently, it is alleged that they had physical relationship also which was established on the pretext of false promise to marry.
4. It is further alleged that during all religious functions the mother of the petitioner would treat her like her prospective daughter in law. However, subsequently, they started demanding money from the prosecutrix. It is alleged that the prosecutrix is also pregnant with the child of the petitioner.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He submits that the allegations clearly establish that the relationship was consensual and there is no allegation that petitioner ever used any force or made physical relations with the consent of the prosecutrix.
6. Learned counsel appearing for the complainant submits that the complainant is being regularly approached by the petitioner or some person on behalf of the petitioner and being pressurized to settle the disputes by taking money.
7. Issue notice. Notice is accepted by learned APP for the State who prays for time to file the status report. Let the same be filed on or before the next date of hearing.
8. List on 13.09.2019.
9. In the meantime, subject to petitioner joining investigation, no coercive action shall be taken against the petitioner till the next date of hearing.
10. At the request of learned APP, petitioner is directed to appear before the IO on 30.05.2019 at 4 PM, P.S. Ambedkar Nagar.
11. The petitioner shall not directly or indirectly approach the prosecutrix or her family. The IO is directed to provide his personal mobile number to the prosecutrix so that she may contact the IO in case the need so arises.
12. Order Dasti under signatures of the Court Master.