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

% Judgment delivered on: 20.08.2019

+ BAIL APPLN. 1940/2019

SHEKHAR GARG @ SHEKHAR Petitioner

versus

THE STATE Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Gaurav Kochar with Mr. Dollar Jain,
Advocates.

For the Respondent : Mr. Hirein Sharma, APP for the State with the
Investigating Officer.

Mr. Ashok K. Singh with Ms. Sonakshi Monga and
Mr. Sandeep K. Bhardwaj, Advocates for
complainant with complainant in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.167/2019 under Sections 376/506 IPC, Police Station Geeta Colony.

2. Allegations in the FIR are that the complainant came in contact with the petitioner in first half of the year 2017 when she received a Facebook request from him. It is alleged that she was initially not interested however when he continued to pressurize her, she accepted

the request and got in touch with him. Subsequently, it transpired that he was the brother of one of her acquaintances. Thereafter it is alleged that he proposed to her to enter into a relationship but she initially refused. However, he kept on pestering her and she later on agreed and they entered into a relationship. He is further alleged to have entered into a physical relationship with her on a false promise to marry and subsequently, refused to marry her.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that even as per the FIR there is a substantial delay in lodging the complaint and further that the averments in the FIR suggest that the relationship was consensual.

4. Learned counsel for the petitioner submits that there is nothing to suggest that there was any physical relationship or any promise or false promise to marry. He further submits that all these are matter of trial where the prosecution would have to establish its case.

5. Petitioner has been in custody since 20.06.2019.

6. Without commenting on the merits of the case and keeping in view the totality of facts and circumstances of the case, I am satisfied that the petitioner has made out a case for grant of regular bail.

7. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any

other case, subject to the following conditions: -

- (i) Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses.
- (ii) Neither the petitioner nor his family members shall contact the complainant or her family.
- (iii) Petitioner shall not leave the country without the permission of the Trial Court.
- (iv) Petitioner shall surrender his passport, if any, to the Investigating Officer, if not already done so.
- (v) The Investigating Officer shall share her as well as the telephone number of the SHO, Police Station Geeta Colony with the complainant, who may contact them in case of any apprehension.

8. Petition is allowed in the above terms.

9. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

AUGUST 20, 2019/st