

S.C. NO.259/18.
STATE VS RAJU.
PS- NARELA.
FIR NO. 28/18.

16.04.2019

Present: Sh. Shiv Kumar, Id. Substitute Addl. PP for the State.

Ms. Geeta Verma, Id. Counsel for DCW.

Accused produced from JC.

Shri R.N. Malhan alongwith Ms. Rajni Malhan Id. Counsel for accused.

PW/prosecutrix is present and she has been examined as PW1 and discharged.

PW Ajmeri is also present for evidence, but she is discharged unexamined as no time left.

No other PW is present.

Arguments on the bail application moved on behalf of applicant / accused heard.

The prosecutrix had given the history of physical relation to the doctor with a boy namely Raju, who used to live in the same locality. She had further told the doctor that she had relationship with the boy with her own willing without any history of forceful activity. It is the case of the prosecution that accused had raped the prosecutrix on the promise of marriage. In cross-examination, the prosecutrix deposed that she was in love with accused and physical relation with the accused had taken place with her free consent.

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The other public witnesses who remain to be examined are her parents. They are not material witness as per their statement u/s. 161 Cr.P.C. The prosecutrix had told them that accused had raped her under the promise of marriage. So, there is no possibility of tampering with prosecution evidence and hence, the regular bail application of the accused Raju is allowed.

Accused is admitted to bail on his furnishing a personal bond in the sum of Rs.30,000/- with one surety of like amount to the satisfaction of the Court subject to the condition that he will not threaten the witness. He will not tamper with the record. He will not contact the complainant directly or indirectly in any manner. He will not do any such act which may affect the administration of justice.

Put up on 02.09.2019 for PE.

(Umed Singh Grewal)
ASJ : Spl. FTC (North)
Rohini Courts : Delhi:16.04.2019