

B. A. No. 1971
FIR No. 455/2020
PS: Burari
State Vs. Praveen Kumar Bala
U/s 363 IPC

07.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Ajay Goyal, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused Praveen Kumar Bala in case FIR No.455/2020.

Ld. counsel for accused-applicant submits that previously one application for grant of anticipatory bail was filed on behalf of accused-applicant and at that stage accused was not aware whether any FIR has been registered against him though he had strong apprehension of unlawful arrest and false implication at the behest of the father of the minor 'D' as the minor 'D' of her volition had approached him fearing for her life and safety from her father who wants to marry her off against her wishes with some elderly person and at that stage application of the accused-applicant was dismissed in the wake of the submissions of the Ld. APP on the basis of the reply of the IO that till date no FIR is registered nor any criminal proceedings initiated against the accused-applicant at PS Burari, however subsequently it has now come to the knowledge of the accused-applicant that one FIR No. 455/2020 has been registered against



him in respect of the kidnapping of the minor 'D' at the instance of her mother on 07.10.2020 itself, much prior to the date of disposal of the previous anticipatory bail application.

IO to file explanation, as to under what circumstances reply dated 20.10.2020 is filed concealing the material fact pertaining to the registration of the FIR against the accused-applicant in the Court on 23.10.2020, on the next date of hearing.

The minor 'D' aged about 17 ½ years has also joined the proceedings through video conferencing. Minor 'D' submits that her date of birth is 16.03.2003. Minor 'D' submits that she ran away from her home of her own volition as her father used to beat her and wants to get her married to an elderly person against her wishes. Minor 'D' does not wish to return to her parental house as she fears for her life.

Let the minor 'D' be produced before the IO at 2 pm and her statement be recorded in the present case FIR. Thereafter, she be returned to the custody of her parents if she is so desirous otherwise she be produced before the CWC as per law and in the meantime she be sent to Nari Niketan for her safe custody till further orders from CWC concerned in this regard.

In such circumstances, particularly taking strong exception to the concealment of facts made by the IO in the previous reply, interim protection is granted to the accused-applicant till the next date of hearing, however with the direction to join investigation in connection with present case on 07.11.2020 at 2pm i.e. today itself, 10.11.2020, 12.11.2020 &

Nalini

17.11.2020 and as and when called upon to do so by the IO.

For report and consideration, put up on 19.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020