

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

+ **Bail Application No.1428/2008**

% **Date of decision : 28.07.2008**

V.K. Gupta & Another Petitioners
Through: Mr.D.C. Mathur, Sr. Advocate with
Mr.Sujoy Kumar, Advocate for the
petitioners.

Versus

The State (NCT of Delhi) Respondent
Through: Mr.Amit Sharma, APP for the State
along with Mr.Subhash Chander,
Inspector.

CORAM :-

* **HON'BLE MR. JUSTICE ANIL KUMAR**

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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The petitioners' contention is that they were not living with their son and deceased daughter-in-law and the they were living separately. Learned counsel for the petitioners had relied on 93(2001) DLT 495, Smt.Anita and Another v. State and 2007(1) JCC 125, Anju and others v. State in support of their contentions. Considering the pleas and contentions, petitioners were granted interim anticipatory bail.

The status report filed indicates that the petitioners joined the investigation and nothing adverse has been disclosed which will reflect that the petitioners shall exploit their release on bail. There are no past antecedents in respect of the petitioners and no other circumstances has been disclosed which would disentitled the petitioner for the relief prayed by them. The petitioners, therefore, are entitled for anticipatory bail in the facts and circumstances.

Consequently the petition is allowed. In case of arrest the petitioners be released on furnishing a personal bonds of Rs.10,000/- each with one surety each of the same amount to the satisfaction of Investigating Officer. Petitioners shall join the investigation as and when directed by the Investigating Officer and shall not influence the witnesses in any manner.

Dasti.

July 28, 2008
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ANIL KUMAR, J.