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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3469/2010

JYOTI

..... Petitioner

Through: Mr. Padam Sankhla, Advocate

versus

STATE OF DELHI &ORS.

..... Respondent

Through: Mr. Sunil Sharma, APP for State with SI Ajay Kumar Meena

CORAM:

JUSTICE SHIV NARAYAN DHINGRA

ORDER

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08.11.2010

This petition has been preferred by the petitioner for cancellation of bail granted to accused /respondent no.2 herein.

The accused is involved in a case under Section 498A/406 IPC. The accused was taken in judicial custody on 6th October 2010. The learned MM refused to grant him bail on 7th October 2010 on the ground that there were serious allegations against him and due to illegal demand of dowry, the complainant suffered miscarriage. However, the learned ASJ granted bail to the accused vide his order dated 11th October 2010 observing that after the accused was taken into custody, recovery of articles was effected during police remand. There were allegations that jewelry had not yet been recovered. However, the accused has disputed that he had jewelry with him, so learned ASJ observed that this disputed question of facts cannot be decided at the time of bail.

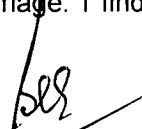
It is submitted by counsel for the petitioner that learned ASJ did not refer to the serious charge against the accused regarding miscarriage having been suffered by complainant due to dowry demand.

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physical file have been compared and
the digital data is as per the physical
file and no page is missing.

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The allegations of miscarriage having been suffered by complainant due to dowry demand are based only on her statement and not on any medical evidence. The dowry demand cannot possibly result into miscarriage. I find no merits in this petition, the petition is hereby dismissed.


SHIV NARAYAN DHINGRA, J

NOVEMBER 08, 2010
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