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

+ **BAIL APPLN. 623/2013**

GOPAL DUTT

..... Petitioner

Through: Mr. Ajay Jain, Ms. Niti Jain and Mr.
Ravi Shankar Garg, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Manoj Ohri, APP for the State
with SI Kundan Lal, PS Bhalswa
Dairy.

AND

+ **BAIL APPLN. 624/2013**

MAHESH CHAND ALIAS MANOJ

..... Petitioner

Through: Mr. Ajay Jain, Ms. Niti Jain and Mr.
Ravi Shankar Garg, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Manoj Ohri, APP for the State
with SI Kundan Lal, PS Bhalswa
Dairy.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.05.2013

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By the present petition the Petitioners, who are the brothers in law of the deceased, seek bail in case FIR No. 69/2013 under Sections 304B/498A/34 IPC registered at PS Bhalswa Dairy, Delhi.

Learned counsel for the Petitioners submits that the Petitioners are

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students, aged 20 years and 19 years respectively and were living separately from the deceased. There are no allegations of harassment in relation to the dowry soon before death against the Petitioners.

Learned APP for the State on the other hand has taken me through the FIR. He states that the allegations in the FIR clearly show that the Petitioners were equally involved in beating the deceased besides her husband, father-in-law and mother-in-law.

I have heard learned counsel for the parties.

The abovementioned FIR was registered on the complainant of Girish Chand Pandey, father of Manju. He stated that he had married his daughter on 6th June, 2010 and gave dowry as per his status. He gave one motorcycle, sofa, five tolas gold and Rs. 20,000/- cash. After three months of marriage his daughter was tortured for dowry and demand of Nano car was made. It is further alleged that the husband, father-in-law, mother-in-law and brothers in law, that is the Petitioners herein, used to beat his daughter. As per the FIR in June, 2011 his daughter and son-in-law were thrown out of the matrimonial house and they started living on rent in Kasiram Nagar, Moradabad. Thereafter in August, 2011 his son-in-law informed him on telephone that his father had given a plot of 25 sq. Yards for constructing the house and that he should get the house constructed on the said plot. Accordingly the Complainant took a loan of Rs. 2 lakhs so that the house could be constructed and since October, 2011 his daughter and son-in-law were living in the said house.

It is thus apparent that the deceased was living in the matrimonial home till June, 2011. Further besides the allegations that initially there was a

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demand of dowry and everyone used to beat the deceased which includes the Petitioners, there is no other specific allegation against the Petitioners. The investigation is complete. The charge sheet has already been filed. The Petitioners are students, aged about 20 years and 19 years respectively. Thus, I deem it fit to grant bail to the Petitioners. It is, therefore, directed that the Petitioners be released on bail on their furnishing personal bond in the sum of Rs. 25,000/- each with one surety each of the like amount, subject to the satisfaction of the learned Trial Court.

Petitions are disposed of.

Order dasti.


MUKTA GUPTA, J.

MAY 20, 2013
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