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

DECIDED ON : 24th AUGUST, 2015

+ **CRL.REV.P. 372/2014 & CRL.M.A.No.10057/2014**

SATISH SHARMA & ANR. Petitioners

Through : Mr.Manish Pratap Singh,
Advocate.

versus

STATE OF NCT OF DELHI & ORS.Respondents

Through : Mr.Sanjeev Sabharwal, APP.
Mr.Giriraj Subramaniam, Advocate
with Mr.Hitesh Kumar Saini,
Advocate for R2 to R4.
W/SI Kamlesh Meena.

**CORAM:
HON'BLE MR. JUSTICE S.P.GARG**

S.P.Garg, J. (Oral)

1. Present revision petition has been preferred by petitioners to challenge the legality and propriety of an order dated 19.04.2014 of learned Addl. Sessions Judge by which the respondents No.2 to 4 were granted anticipatory bail. The revision petition is contested by the respondents.

2. I have heard the learned counsel for the parties and have examined the file. FIR No.566/13 under Sections 498A/406/34 IPC was

lodged by petitioner No.1, father of the petitioner No.2 against the respondents. The respondents No.2 to 4 filed application for seeking anticipatory bail. After hearing the learned counsel for the complainant and the learned counsel for the respondents, by the impugned order, the respondents were granted anticipatory bail. They were directed to join the investigation as and when required. They have joined the investigation. The Trial Court has given detailed reasons for granting anticipatory bail. Marriage between the petitioner No.2 and respondent No.2 took place on 30.11.2001. No complaint whatsoever was ever lodged by petitioner No.2 against the respondents No.2 to 4 for physical or mental harassment, at any time, before 2013. It has come on record that the respondents are USA citizens. Respondents No.2 and petitioner No.2 lived together at petitioner No.1's house in India for about ten years. There were no allegations of mental or physical cruelty that time. Record reveals that the matter was referred to Mediation Centre to explore possibility of settlement. However, the parties could not resolve their dispute. Petitioner No.2 has filed petition under Section 12 of Domestic Violence Act where certain directions have been given to the respondent No.2 not to travel abroad without prior permission of the Court. There are certain other directions regarding operation of bank account. Civil Suit No.273/13 filed

by petitioner No.2 has been withdrawn on the basis of statements made by the parties therein.

3. In the proceedings under Section 12 of Domestic Violence Act, no cognizance has been taken by the concerned Court against respondents No.3 & 4. Charge-sheet in the instant FIR is stated to have been filed upon completion of the investigation. In my view, custodial interrogation of the respondents No.2 to 4 is not at all required merely for recovery of the alleged jewellery taken by respondents No.2 to 4 from petitioner No.2 on 02.01.2013. The learned Addl. Sessions Judge has dealt with this aspect elaborately in the impugned order and no deviation is called for.

4. I find no illegality or irregularity in the impugned order to intervene. The revision petition lacks merit and is dismissed. Pending application also stands disposed of.

5. Trial Court record (if any) along with copy of the order be sent back immediately.

(S.P.GARG)
JUDGE

AUGUST 24, 2015 / tr