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

+ **BAIL APPLN. 489/2015**

JYOTI

..... Petitioner

Through: Mr. N. Prabhakar and Mr. Dhruv
Sharma, Advs.

versus

NCT GOVT OF DELHI

..... Respondent

Through: Mr. M.P. Singh, APP for the State
with SI Pawan Tomar, PS Prashant Vihar

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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13.08.2015

The petitioner seeks bail in connection with FIR No.83/2013 in which she is facing trial for murder of one Naveen Khatri.

The prayer for bail of the petitioner was earlier rejected by this Court on 5.12.2014. However, while rejecting the prayer of bail, this Court directed that there should not be any delay in examination of the public witnesses and they be examined within a period of one month.

Liberty was given to the petitioner to renew her application for bail in the first instance before the Trial Court.

The status report reveals that out of 51 charge-sheeted witnesses, 12 have been examined and almost all of them are public witnesses. The status report further reveals that all the public witnesses who have been cited in the charge-sheet have now been examined.

The petitioner is alleged to have pointed towards the deceased while he was being taken to Courtroom from police lock up. The act of assault has been attributed to one Mukesh, who is also facing trial. The mother of the petitioner has also been made an accused and she is on bail on medical grounds.

The deceased (Naveen Khatri) had developed liaison with one Preeti. However, Preeti chose to marry the brother of the petitioner. Naveen Khatri, therefore, was nursing a grudge against the brother of the petitioner and the brother of the petitioner was ultimately killed by Naveen Khatri. Naveen Khatri had come to the Court in connection with the case in which the brother of the petitioner had been killed. In that process, as the allegation stands, because of the conspiracy of the petitioner and another the deceased was killed.

The petitioner is in custody since 22.2.2013.

Considering the fact that the petitioner has remained in jail for three and a half years; has participated in the trial and all the public witnesses have now been examined, this Court is inclined to enlarge the petitioner on bail.

Let the petitioner be released on bail on his furnishing a bond in the sum of Rs.25,000/- with two sureties of like amount to the satisfaction of the Trial Court.

Needless to say that the petitioner after being released on bail would attend to the trial and would not try to inhibit or threaten or cause to be threatened any of the witnesses who have or would depose in favour of the prosecution.

The application is allowed.

AUGUST 13, 2015/ns

ASHUTOSH KUMAR, J