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

+ **BAIL APPLN. 1201/2015**

SMT PARWATI Petitioner
Through:Mr.Manish Bhasin, Advocate.

versus

STATE Respondent
Through:Mr.Lovkesh Sawhney, APP

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
08.07.2015

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The petitioner who is the mother-in-law of the deceased, seeks bail by this petition . The grounds urged for grant of bail are that she is in custody since 18.4.2013 and out of 21 cited witnesses, 7 have already been examined including the father of the deceased, namely, PW-3.

The son of the petitioner, namely, Jitender was married to the deceased in the year 2009. The deceased and her husband were living along with the petitioner but on a different floor of the house. On the fateful day, the deceased was found hanging from the roof. PW-3, who lodged the First Information Report, stated that initially he was misled by the accused persons that the deceased died of heart attack but later, he was informed that she committed suicide. The post mortem report discloses the death due to asphyxia.

Mr.Lovkesh Sawhney, learned APP for the State vehemently

opposes the grant of bail on the ground that the period of incarceration of the accused under Sections 302/304B is not a vital consideration and that the brother of the deceased has been examined-in-chief and is still to be cross-examined.

Considering the period of custody of the petitioner and the remote possibility of the trial being concluded in near future, this Court is inclined to grant the bail to the petitioner.

The petitioner is directed to be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with two sureties of the like amount, to the satisfaction of the Trial Court. The release of the petitioner would be subject to the following conditions:-

1. The petitioner would participate in the trial.
2. The petitioner would not absent herself without proper cause and in case she desires to, or is required to move out of Delhi, permission would be taken from the Trial Court a week in advance.
3. The petitioner will not, either by herself or through agency of anybody would meet the witnesses of the case so that they are dissuaded from stating truth before the Court.

The application is allowed and stands disposed of accordingly.

ASHUTOSH KUMAR, J

JULY 08, 2015

Bisht