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

+ **BAIL APPLN. 277/2016**

MANOJ GERA

..... Petitioner

Through: Mr. Sanjeev Kamra, Advocate with
Ms. Lavisha Kamra, Advocate

versus

THE STATE

..... Respondent

Through: Ms. Anita Abraham, Advocate

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
11.07.2016

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The petitioner, by this petition under Section 438 Cr.P.C., seeks pre-arrest bail as the petitioner apprehends arrest in case FIR No. 407/15, under Section 498A/406/34 IPC, PS Jagat Puri.

The petitioner married to the complainant-Neha on 13.11.2013. Out of the wedlock, one son named, Jagat, was born on 10.08.2014. The parties have been separated since 25.08.2014. Learned counsel for the petitioner submits that the allegation of the complainant is that her jewellery and expensive clothing was kept by the mother-in-law of the complainant and that the same was not given to her even when she required the same. However, the petitioner is possessed of photographs to show that the complainant was, even after the marriage, continuously using her jewellery

and clothing. Learned APP states that the other items claimed by the claimant have since been returned. According to the complainant, jewellery worth about Rs. 3 to 4 lakhs have not been returned to the complainant. The mediation attempted between the parties have failed. The learned mediator has recorded that both parties were interested in reconciliation, however, they sought to impose terms on each other as a pre-condition for reconciliation. Learned counsel for the petitioner submits that the petitioner has been directed to deposit Rs. 1 lakh on account of maintenance by the learned Principal Judge, Family Court, which shall be deposited on the next date i.e. 05.08.2016. The petitioner has offered that to show his bona fides, he shall deposit in this Court an amount of Rs. 2 lakhs in instalments so that the claim of the complainant with regard to jewellery, though, not true is also addressed, in case she succeeds in establishing that the petitioner has retained her jewellery. He states that Rs. 1 lakh shall be deposited within a week and the remaining Rs. 1 lakh shall be deposited in this Court within 8 weeks.

Considering all the circumstances of the case, the application is allowed. In case of arrest of the petitioner, he shall be released on bail by the arresting officer upon his furnishing a personal bond for Rs. 20,000/- with one surety to the satisfaction of the SHO concerned. The petitioner shall join the investigation as and when called for by the investigating officer and shall also not try to contact the respondent or any of the prosecution witnesses. The petitioner shall comply with his undertaking with regard to deposit of the amount of Rs. 2 lakhs which shall also remain a condition for grant of bail.

Dasti.

The bail application stands disposed of.

VIPIN SANGHI, J

JULY 11, 2016

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