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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ BAIL APPLN. 684/2016
BIMLA DEVI Petitioner
Through Mr. Jitender Solanki, Advocate

versus

STATE Respondent
Through Mr. Akshai Malik, Additional Public
Prosecutor for the State along with SI
Chetan Mandia, Police Station
Sagarpur, Delhi.

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 19.04.2016

1. Petitioner is the mother-in-law of the deceased who seeks anticipatory bail in case FIR No.40/2016 under Sections 306/498A/34 IPC registered at Police Station Sagarpur, Delhi.

2. Counsel for the petitioner submits that the son of the petitioner, namely, Manjeet got married to deceased Priya on 29th May, 2015. There was some conflict between Manjeet and Priya as Priya used to frequently talk with one boy Kammu who is the younger brother of her jija (brother-in-law). Manjeet used to advise Priya to sever contacts with Mr. Kammu. On this, they used to have some arguments. On 10th January, 2016, Manjeet arranged a meeting between himself, Priya and Mr. Kammu wherein he requested them to either sever contact with each other or annul the marriage between

Priya and himself. On this, Kammu apologized and severed contacts with Priya. Thereafter Priya became depressed. She committed suicide on 11th January, 2016. At that time the petitioner was out of her house at Dilshad Garden with her sister for her medical examination/treatment as her treatment was carried out at JP Memorial Hospital at F-189, Dilshad Colony, New Delhi-110095. On the basis of statement of Smt. Hansi Devi, mother of the deceased, the present FIR was registered, however, subsequently, the complainant realized that the FIR was registered under a mistake and petition for quashing of FIR was also filed wherein the complainant gave her affidavit to this effect. It is submitted that the petitioner is a lady and is ready to abide by any terms and conditions. As such, she be released on anticipatory bail.

3. Learned Additional Public Prosecutor for the State refers to the status report wherein it is stated that statement was made by mother and brother of the deceased to the Executive Magistrate wherein they levelled allegations against the petitioner as well as her son regarding torture and harassment to the deceased. A suicide note was also found at the spot wherein the deceased stated that she was committing suicide as her husband had insulted her by suspecting his fidelity as he suspected that she was having relations with Kammu whereas he was just a friend of her. It is not disputed that Writ Petition No.842/2016 was filed by the petitioner and co-accused Manjeet for quashing of FIR as the complainant stated that the FIR was got registered due to fit of anguish and was a result of misunderstanding between the

parties. However, it is submitted that in the suicide note, there are also allegations against the petitioner that she pulled her hair, as such, the application is opposed.

4. Without expressing any opinion on merits of the case, as per the status report, in the suicide note the allegations at the most are against the husband who suspected her fidelity that she was having relations with the younger brother of her jija (brother-in-law) and on that account there used to be quarrel between the parties. One day prior to the incident also a meeting was called by the husband of the deceased wherein Kammu was called and he agreed to sever contacts with the deceased. It is alleged that thereupon Priya became depressed and took the extreme step of committing suicide on 11th January, 2016.

5. Under the circumstances, it is ordered that in the event of arrest:-

- (i) Petitioner be admitted to bail on his executing personal bond in the sum of Rs.20,000/- (Rupees Twenty Thousand only) with one surety in the like amount to the satisfaction of the concerned I.O./SHO.
- (ii) She shall join the investigation as and when called for by the I.O.
- (iii) She shall furnish her address as well as contact number to the Investigating Officer.
- (iv) She shall not threaten or coerce complainant or any prosecution witness.

The application is accordingly disposed of.

Copy of this order be given *dasti* to counsel for the petitioner.

SUNITA GUPTA, J

APRIL 19, 2016/*rs*