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

+ **BAIL APPLN. 484/2016**

SUDHIR KUMAR

..... Petitioner

Through : Mr.Mahesh Tiwari, Advocate with
Mr.Bishnu Tiwari, Advocate.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through : Ms.Meenakshi Dahiya, APP with SI
B.Singh, PS M.S.Park.
Mr.Mukesh K.Mishra, Advocate for
the complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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16.09.2016

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.39/16 registered under Sections 498A/406/34 IPC at PS Mansarovar Park. Status report is on record.
2. I have heard the learned counsel for the parties including the counsel for the complainant and have examined the file. By an order dated 07.04.2016, the petitioner was granted interim protection and was directed to join the investigation as and when required. Undisputedly, the petitioner has joined the investigation since then. The matter was referred to Delhi High Court Mediation & Conciliation Centre to explore the possibility of settlement. However, the matter could not be resolved there.

3. It is informed by the learned counsel for the petitioner that before the Mediation Centre the complainant had agreed to settle the dispute on payment of ₹5 lacs and out of which ₹2.5 lacs was given to her by way of demand draft. Learned counsel for the complainant denies it and states that payment of ₹2.5 lacs was given pursuant to the order of the Court at the time of grant of interim bail.
4. The marriage between the parties took place on 15.12.2014. Order dated 12.02.2016 reveals that the petitioner has joined the investigation on various dates. ₹2.5 lacs have already been given to the complainant. Let ₹1 lac more be given to the complainant within two weeks through Investigating Officer without prejudice and subject to future adjustment towards dowry articles.
5. Considering the facts and circumstances of the case and the payment of ₹3.5 lacs referred above to the complainant, the petitioner is granted anticipatory bail and in the event of arrest, he be released on furnishing personal bond in the sum of ₹ 40,000/- with one surety in the like amount to the satisfaction of the SHO/Investigating officer. He shall, however, join the investigation as and when required.
6. The bail application stands disposed of.

S.P.GARG, J

SEPTEMBER 16, 2016 / tr