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

+ **BAIL APPLN. 629/2016**

RAHUL TYAGI

..... Petitioner

Represented by: **Mr. Kapil and Mr. Abhinav,**
Advocates.

versus

STATE (GOVT OF NCT OF DELHI

..... Respondent

Represented by: **Mr. Hirein Sharma, APP for**
the Mr. Ashok K. Garg, APP
for the State with W/ASI
Sangeeta Sharma, PS
Seemapuri.
Mr. Pradeep Tyagi, Advocate
for complainant with
complainant in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.08.2016

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1. By the present petition the petitioner seeks anticipatory bail in case FIR No.1336/2016 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act registered at PS Seema Puri, Delhi.

2. Learned counsel for the petitioner contends that the photographs filed on record would reveal that the parties were living a happy married life however, due to temperamental differences the parties could not get along. The dowry articles which are in possession of the petitioner, are not recovered by the complainant as she has refused to accept the same. The

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petitioner has joined the investigation and there is no chance that the petitioner will flee away from justice. Learned counsel for the petitioner further states that to show his bona fide the petitioner is willing to deposit a sum of ₹4 lakhs as FDR with the Registrar General of this Court which would be utilised for the minor daughter who is presently in the custody of the complainant. Thus he be granted anticipatory bail.

3. Learned APP for the State has taken me through the status report. On instructions learned APP states that the petitioner has joined the investigation.

4. The allegations in the FIR against the petitioner, who is the husband of the complainant are that they were married in the year 2010. Enough dowry articles along with ₹4 lakhs in cash were given by her parents however, the petitioner and his family members were not satisfied and demanded a Honda City Car. After the birth of girl child the petitioner's harassment increased. The allegations of molestation are against the brother of the petitioner.

5. Considering the facts and circumstances of the case, the fact that the petitioner has already joined the investigation and as he is willing to show his bona fide, I deem it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that he will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the court concerned, and will

abide by the undertaking made before the Court. The petitioner will deposit a sum of ₹4 lakhs with the Registrar General of this Court as FDR within a period of three months. The money so deposited will be kept in a fixed deposit renewable automatically and the amount so deposited and the interest that would accrue thereon would be subject to the final determination by the learned Trial Court or by the Family Court or any final settlement arrived at between the parties.

6. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 10, 2016
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