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

+ **BAIL APPLN. 782/2016**

KUSUM VERMA

..... Petitioner

Represented by: Ms. Saahila Lamba, Mr. Tarun
Khanna, Mr. Surender Sharma,
Mr. Hemant, Advs.

versus

STATE (GNCT OF DELHI)

..... Respondent

Represented by: Mr. Kewal Singh Ahuja, APP
with ASI Madan Mohan PS
Nangloi.
Mr. Rajendra Soni, Adv. for
complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
27.07.2016

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By the present petition the petitioner seeks regular bail in case FIR No.410/2015 under Section 323/324/354/354A/354B/380/341/326A/34 IPC registered at PS Nangloi on the complaint of sister-in-law of the present petitioner.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the complainant.

On 20th May, 2015 two PCR calls were received from both the parties, one at 2.40 PM by Mahesh Verma, the brother of the petitioner and the second at 3.34 PM by the complainant, wife of Mahesh Verma. ASI Madan Mohan reached the spot on the first PCR call and it was found out that there

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was matrimonial dispute between the complainant and her husband Mahesh. Complainant had already left for her parental home along with her parents.

PCR call at 3.34 PM was with regard to quarrel at Om Prakash Jewellers, near Barat Ghar in Janta Market, Camp No.1, Nangloi. When ASI Madan Mohan left H.No.141, Extension No.2, Nangloi which is the matrimonial home, he reached at Om Prakash Jewellers where he found complainant along with her parental family. Complainant and her family informed that they wanted to settle the complainant in the matrimonial home but Om Prakash and Pramod, the father-in-law and brother-in-law of the complainant, were not ready for this.

Again on the same day a PCR call was received at 4.09 PM recorded vide DD No.37A informing that at H.No. 141, Nangloi Extension-2, New Delhi "*Ladies par Mitti ka Tel Daal Diya Hai*". Complainant was taken for medical examination to Sanjay Gandhi Memorial Hospital at 6.08 PM on 20th May, 2015. As per the MLC abrasions were found on the neck, chest and lower back region. Though allegations of pouring of kerosene oil were there, however the MLC does not record any smell of kerosene oil or any corrosive liquid. On 21st May, 2015 complainant again reached Police Station Nangloi where after she was taken to Sanjay Gandhi Memorial Hospital, Mangol Puri again for medical examination at 3.45 PM. It is at this stage multiple scratches on the chest, thigh, neck, shoulder were found including chemical burns on the front part of the body.

Complainant alleged that on 20th May, 2015 at around 3.00 PM when she was at home, she opened her almirah and saw that all her jewellery given by her father i.e. gold jewellery and silver coins were not there in her

almirah. When she asked her husband who was present at house, he did not give any reply. When she shouted her brother-in-law Vishnu Verma, Pawan Verma and sister-in-law Dimple Verma came to her room. Her husband beat her and tore her clothes. Her brother-in-laws Vishnu Verma and Pawan Verma pressed the breast and opened the salwar. Her brother-in-law also hurt her private parts with nails. She was kicked and thereafter sister-in-law Dimple brought a can of kerosene oil mixed with a chemical, poured over her due to which she was burnt and her colour of the suit changed.

As noted above in the MLC of the complainant on 20th May, 2015 though alleged history of pouring kerosene was given, but no kerosene oil or corrosive present and or chemical burns were found. After the incident on 20th May, 2015 it is admitted case that complainant went to her parental home and was not in her matrimonial home, however when examined on 21st May, 2015 she had chemical burns. According to FSL report received till now no kerosene oil, petroleum or diesel was found, however further query has been raised as to what chemical was present on the clothes.

On the facts noted above particularly the fact that on 20th May, 2015 complainant was immediately examined and no corrosive liquid was found on her body or clothes which was found later on the next day when she was in custody of her parents, that the petitioner is the married sister-in-law and is in custody since 25th February, 2016 has two minor children to look after and charge sheet has already been filed and the brother-in-laws i.e. Vishnu Verma and Pawan Verma have already been granted regular bail by the learned Trial Court, I deem it fit to grant bail to the petitioner. The petitioner be released on bail on her furnishing a personal bond in the sum of

₹25,000/- with two sureties of the like amount subject to the satisfaction of the learned Trial Court, further subject to the condition that she will not leave the country without the prior permission of the learned Trial Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 27, 2016
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