

\$~

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

+ BAIL APPLN. 1223/2016

SATISH

..... Petitioner

Through

Mr. Mohit Mathur, Senior Advocate
with Mr. Javed Anand, Mr. Pradeep
Kumar, Mr. Mohd. Ovais, Advocates

versus

STATE OF NCT OF DELHI

..... Respondent

Through

Ms. Rajni Gupta, APP along with
SI Ramesh Kumar, Police Station
Sultan Puri.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

%

10.06.2016

The above mentioned bail application has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail.

Earlier on 30th May, 2016 the anticipatory bail of the petitioner was rejected by the trial court inter alia on the reason that the nature of the liquid administered to the complainant will become known after examination of her gastric lavage by the expert at FSL. As the nature and properties of the substance are still unknown therefore, the anticipatory bail was not granted.

Mr.Mathur, learned Senior counsel appearing on behalf of the petitioner, submits that the mother-in-law namely Jagwanti has been granted bail. Therefore, the petitioner is entitled to the same relief.

Learned APP for the State submits that the bail to Jagwanti was

granted on her health condition.

Learned APP also mentioned that the glass bottle of which contents were administered to complainant is not to be recovered, therefore, the anticipatory bail should not be granted. There is force in the submissions of the learned APP for the State. I am of the view that at this stage the petitioner is not entitled to anticipatory bail mainly on the reason that both the children have made the statements in support of their mother. The FSL report is still to be received as it is alleged by the prosecution that she may be administered poisonous substance.

In view of these circumstances, the application is dismissed. It is clarified that no opinion is expressed in the matter by the court while rejecting the application.

**MANMOHAN SINGH
(VACATION JUDGE)**

JUNE 10, 2016/jk