

\$~15

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

+ **BAIL APPLN. 1446/2016**

GAURAV AGGARWAL

..... Petitioner

Represented by: Mr. Ramesh Gupta, Sr. Adv.
with Mr. Bharat Sharma, Adv.

versus

STATE

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
W/ASI Clara Toppo, PS
Malviya Nagar.
Mr. Yogendra Kumar Verma,
Mr. Arunav Tewari, Mr. Nitin
Garg, Advs. for complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.08.2016

%

By this petition the Petitioner seeks bail in case FIR No. 566/2016 under Section 377/498A/406/323/34 IPC registered at PS Malviya Nagar on the complaint of wife of the petitioner.

The allegations against the petitioner are that in connivance with his parents, the petitioner harassed the complainant for dowry and performed unnatural sex. The petitioner has been in custody for nearly 1 month 10 days since 28th June, 2016.

Learned senior counsel for the petitioner on instructions from Pradeep Kumar Aggarwal, father of Gaurav Aggarwal who is present in Court states

BAIL APPLN. 1446/2016

page 1 of 3

that he will not dispossess the complainant from the matrimonial home except by due process of law and will not interfere in her living over there. Learned counsel also prays that the petitioner be permitted to take his belongings and that the investigating officer be directed to accompany the petitioner when he takes his belongings. The father-in-law also states that they will bear the medical expenses of the delivery of the child and will pay ₹25,000/- per month as maintenance to the complainant and the child to be born.

Considering the facts and circumstances of the case I deem it fit to grant bail to the petitioner. It is therefore directed that 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 learned Trial Court, further subject to the condition that the petitioner will not leave the country without the prior permission of the Court concerned. The petitioner and his father will be bound by the undertaking given by the father today in Court. On release of the petitioner, the investigating officer will accompany the petitioner to the residence A-278, Shivalik, New Delhi which is being occupied presently by the complainant and the elder brother and sister-in-law of the petitioner, so that he can take his belongings from there and shift to the place where he would like to reside.

The father of the petitioner who is identified by the learned counsel has signed the order-sheet in acknowledgement of the statement made above.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 08, 2016
'ga'