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

+ **BAIL APPLN. 1582/2016**

DINESH ATTRI

..... Petitioner

Represented by: **Mr. Mukesh Gupta, Advocate.**

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: **Ms. Rajni Gupta, APP for the
State with SI Vidya Ranawat,
PS Maurya Enclave.
Mr. Jitender Vashisth,
Advocate for the complainant
with complainant in person.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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05.08.2016

Crl. M.A. No. 11963/2016 (Exemption)

Allowed, subject to all just exceptions.

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1. By this petition the petitioner, who is the husband of the complainant, seeks anticipatory bail in case FIR No. 305/2016 under Sections 498A/406/377/34 IPC registered at PS Maurya Enclave, Delhi.
2. The complainant has alleged in the FIR that despite the fact that her father performed the marriage function on 4th February, 2014 with great pomp show and gave dowry beyond his capacity the petitioner, her in laws were not happy as they were demanding a car and cash. It is further alleged

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that the petitioner is of criminal bent of mind and in drunken position he had been threatening and misbehaving with the complainant.

3. As per the FIR the primary allegations against the petitioner are of misbehaviour in drunken condition. It is in this respect that allegations under Section 377 IPC have been made against the petitioner. It is also stated that the petitioner had been abusing the complainant and hit her with slaps.

4. Learned counsel for the petitioner states that the allegations in the FIR are totally baseless and the petitioner has been falsely implicated in order to pressurise him to come to the terms with the complainant. Learned counsel for the petitioner further states that to show his bona fide the petitioner is ready to deposit a sum of ₹10 lakhs as FDR in the name of the minor daughter Angel with the Registrar General of this Court.

5. Considering, the allegations in the FIR and the fact that the petitioner is ready and willing to deposit a sum of ₹10 lakhs in two instalments as FDRs in the name of minor child Angel with the Registrar General of this Court, 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 the petitioner will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the learned Trial Court, further subject to the undertaking that two FDRs for a sum of ₹5 lakhs each will be deposited in the name of the minor child Angel with the Registrar General of

this Court. The first FDR will be deposited on or before 4th September, 2016 and the second FDR on or before 4th November, 2016.

6. It is clarified that the amount so deposited along with the interest that accrues thereon will be subject to the final outcome of the proceedings between the parties, before the family court or in the Trial Court or a final settlement arrived at between the parties. The Investigating Officer will coordinate with the petitioner and the complainant when the FDRs are to be deposited with the Registrar General of this Court.

7. Petition is disposed. Order dasti.

MUKTA GUPTA, J.

AUGUST 05, 2016

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