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

+ **BAIL APPLN. 1594/2016**

NEERAJ MALIK

..... Petitioner

Represented by: Mr. M. Hasibuddin, Adv.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI A. Singh PS Khajuri Khas.
Mr. R.S. Rawat, Adv. for
complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.08.2016

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CrI.M.A. 12080/2016

Exemption allowed subject to just exceptions.

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By this petition the petitioner seeks anticipatory bail in case FIR No. 217/2016 under Section 498A/406/34 IPC and Section 4 of Dowry Prohibition Act registered at PS Khajuri Khas.

Notice. Learned APP for the State accepts notice.

Learned counsel for the petitioner submits that present case is a matrimonial dispute and the petitioner has suffered from an accident due to which he is on medical leave. The allegations against him are totally false and fabricated. The petitioner is a Constable in Delhi Police and thus there

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is no likelihood of his fleeing away during trial. So anticipatory bail be granted to him.

Learned APP for the State has taken me through the FIR, the two medical certificates of the complainant and the apology tendered by the petitioner.

As per the FIR the allegations against the petitioner are of harassment for demand of money for a car and other items. Despite the father of the complainant having fulfilled the wishes more money and some goods were asked which were also given. The petitioner sought for the change of Sofa and LCD and got a bigger one and some cash as well, but despite fulfilment of all the demands he was not satisfied. The petitioner used to beat the complainant on daily basis and requirements of daily needs were also not met with. When the petitioner became pregnant she was assaulted where after she went to her parental home and from there the complainant was brought back on the ground that she will have no cause of grievance, however again she was beaten and harassed.

A perusal of the case file reveals that on 19th May, 2013 the petitioner apologised in presence of his family members and the family members of the complainant assuring that no cause of grievance will be given to the complainant. There is a MLC of the complainant Ritu on record dated 30th December, 2014 which notes that she received multiple superficial abrasion on the right fore-arm, long superficial abrasion on the left fore-arm, swelling on the left fore-arm dorsal aspect and multiple superficial abrasion on external area. The complainant again forgave the petitioner and joined the company. Thereafter the petitioner again started assaulting her and the

MLC of the complainant dated 4th July, 2015 reveals bluish blackish contusion over the right arm and abrasion over the anterior aspect of the neck.

Considering the behaviour of the petitioner and despite assurances assaulting the complainant repeatedly resulting in injuries, this Court is not inclined to grant anticipatory bail to the petitioner.

Petition is dismissed. Order dasti.

MUKTA GUPTA, J.

AUGUST 08, 2016
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