

\$~11

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

+ **BAIL APPLN. 1725/2016 & CRL.M.A.No.13008/16**

PRAMOD GOYAL

..... Petitioner

Through : Mr.Ravi Gupta, Sr.Advocate with
Mr.Ankit Jain, Advocate.

versus

STATE

..... Respondent

Through : Mr.Akshai Malik, APP with SI
Prempal Singh, PS Bhajanpura.
Mr.Chirag Khurana, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

%

05.10.2016

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.462/2016 registered under Sections 306/354/341/506/509/34 IPC at PS Bhajanpura. Status report is on record.

2. I have heard the learned counsel for the parties including the counsel for the complainant and have examined the file. It is informed that Section 304 IPC has since been added in the FIR.

3. In the FIR lodged by the victim Yogita (since deceased), she disclosed to have developed friendly relationship with the petitioner, owner of the school where she used to work as science teacher on a

BAIL APPLN. 1725/2016

page 1 of 3

monthly salary of ₹5,500/- for the last around two years. This relationship was objected to by petitioner's wife and his brother-in-law. They started putting pressure upon the victim to sever her relations with the petitioner. She further informed that petitioner was also in relation with another school teacher 'X' (assumed name) and when she saw both of them together, the petitioner asked her leave the school and he would pay her salary continuously. The victim alleged that on 24.06.2016 at around 10.00 p.m. she had gone at the petitioner's residence. There she was tortured and pushed outside the house by the petitioner and his wife Dipti Goyal alleging that she was blackmailing them. She got enraged and put herself on fire by pouring petrol on her body. She was taken to the hospital where she was medically treated. It has come on record that after about ten days treatment the victim succumbed to the injuries. Learned APP informed that in the statements recorded on 14.07.2016 victim's parents disclosed that the petitioner had left the victim outside the hospital to die.

4. Admittedly, co-accused Dipti Goyal with similar allegations of physical torture has since been granted anticipatory bail by an order dated 09.07.2016 by the learned Addl. Sessions Judge. The order records that even if the allegations are taken on its face value, these can be considered as instigation to the victim to commit suicide. The victim had taken the petrol and lighter with her while visiting petitioner's residence and had come prepared to put herself on fire. After she put herself on fire, the petitioner and his wife took her to St.

Stephen Hospital where she was not admitted. Subsequently, she was admitted at Safdarjung Hospital. In her initial complaint, she did not disclose if she was left outside Safdarjung Hospital to die. The victim being aware that the petitioner was a married man, intentionally developed friendship with him. It irked the petitioner's wife and her brother and they attempted to restrain her from continuing the said relationship. Learned Senior Counsel for the petitioner further informed that the petitioner had offered the investigation agency to take into possession his mobile but it has yet not been taken.

5. Considering the facts and circumstances of the case, the petitioner is granted anticipatory bail and in the event of arrest, he be released on furnishing personal bond in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of the SHO/Investigating officer. He shall, however, join the investigation as and when required.

6. The bail application stands disposed of.

S.P.GARG, J

OCTOBER 05, 2016 / tr