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

+ **CRL.M.C. 476/2016**

DHARAMPAL

..... Petitioner

Represented by: Mr. S.N.Bhardwaj and
Ms.Harsha Rani, Advocates.

Versus

BRIJESH & ORS

..... Respondents

Represented by: Mr.Amit Ahlawat, Additional
Public Prosecutor for the State
with SI Uttam Chand, P.S.
Naraina.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

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05.02.2016

Crl.M.A. No.2025/2016 (for exemption)

Exemptions allowed, subject to all just exceptions.

Accordingly, the application is allowed.

Crl. M.A.No.2026/2016 (for delay)

In view of the averments made in the application, delay of 200 days in re-filing the petition noted above is condoned.

Accordingly, the application is allowed.

CRL.M.C. 476/2016

1. Vide the instant petition, the petitioner seeks directions thereby to set aside the order dated 31.10.2013 and order dated 22.02.2014, whereby the respondents No.2 and 3 and respondent No. 1 were granted bail by the learned Additional Sessions Judge, New Delhi.

2. On perusal of order dated 31.10.2013, it is revealed that the learned Trial Court granted bail to the respondents No. 2 and 3 by observing that respondent No.2 is of 65 years of age and his wife, i.e., respondent No.3 is of 55 years of age and that they were in custody since 13.02.2013 and 16.02.2013 respectively.

3. It is further revealed that counsel for the petitioner herein requested the learned Trial Court to call the aforesaid respondents for return of the dowry articles as per the list provided to them.

4. Learned counsel appearing on behalf of the petitioner submits that the dowry articles are still with the aforesaid respondents as they have not returned the same, therefore, their bail as granted vide aforesaid order dated 31.10.2013 be cancelled.

5. I do not find any substance in this submission as perusal of the aforesaid order clearly shows that there was no pre-condition of grant of bail to the respondents No. 2 and 3. However, the petitioner is at liberty to recover the same from the respondents in accordance with law.

6. In view of the above, the instant petition is disposed of.

SURESH KAIT, J.

FEBRUARY 05, 2016

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