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

+ **BAIL APPLN. 2026/2016**

GAURAV ARORA

..... Petitioner

Through : Mr. Ravi Sikri, Sr. Adv. with Mr.
Aman Sareen, Ms. Nidhi Raj Bindra
and Ms. Akshita Goyal, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Through : Mr. Amit Chadha, APP with SI
Umesh Yadav PS Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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21.10.2016

Learned senior counsel for petitioner submits that petitioner is brother in law of the deceased, who died within two months of the marriage. Deceased was living with her husband (brother of petitioner) separately. Petitioner was in his office at Noida till 8.59:45 pm on 26th February, 2015. Petitioner left his office at about 9:00 pm and it was not possible for him to reach the place of incident, which was about 50 kms away from his office, by 9:48 pm when the incident took place. Petitioner was not commuting from his own transport. He could not have reached the place of incident within 50 minutes by a public transport. Report of Inspector Ravi Shankar PS Uttam Nagar at page 92-B has been relied to contend that petitioner was

in his office till 9:00 pm. Learned senior counsel has further submitted that allegations of pouring liquid and setting the deceased on fire are not against the petitioner, as per the FIR and also in the subsequent statement of deceased recorded by the SDM. Petitioner's father had also sustained severe burns in the same incident and died after about 10 days, that is, on 7th March, 2016. Petitioner is in custody for 19 months. Charges have been framed. Trial is under way. Petitioner may be admitted to bail.

Learned additional public prosecutor has opposed the bail application. He has contended that deceased died within two months of the marriage. In the FIR, she has stated that after the marriage, her in-laws, including petitioner, used to harass her on the point of dowry. On 26th February, 2015, the husband of deceased, Jatin told her that henceforth he would be living with his parents. Deceased went to Jatin's parent's house, that is, A-108, Ground Floor, Mohan Garden, Uttam Nagar, Delhi. She also called her parents and sister there. In their presence, mother in-law of deceased, petitioner, his brother Prateek, petitioner's wife and husband of petitioner Jatin quarrelled with her. Thereafter, brother in law Prateek took two bottles of liquid and poured on her while her father in law set her on fire by a match stick.

Keeping in mind the above facts, the role assigned to petitioner and that he is in custody for 19 months, the petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹50,000/- (Rupees Fifty Thousand Only) with one surety of the like amount to the satisfaction of trial court.

Application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

OCTOBER 21, 2016/dk