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

+ **CRL.M.C. 3740/2016**

NISHA SHOKEEN Petitioner

Through: Mr. S.S. Dahiya, Adv.

versus

STATE & ORS

..... Respondents

Through: Mr. Tarang Shrivastava, APP for
State with SI Sangeeta, P.S. Adarsh
Nagar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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04.10.2016

Crl. M.A. 15633/2016

Allowed, subject to all just exceptions.

Application is disposed of.

Crl. M.C. 3740/2016

Vide order dated 28th September, 2016 Additional Sessions Judge (ASJ) has granted anticipatory bail to the husband of petitioner, that is, respondent no.2 herein. Petitioner challenged this order on the ground that allegations levelled in the FIR are serious in nature, thus, anticipatory bail ought not have been granted.

I have perused the FIR which runs into 9 pages wherein general allegations of demand of dowry and harassment have been levelled against the respondent no.2. As per the petitioner in the year 2014, respondent no.2

compelled her to perform oral sex. In the FIR all the family members have been named, including the bodyguard of the respondent no.2, who harassed her. FIR has been got registered after two years of marriage. It is noted that respondent no.2 had filed divorce petition in the year 2014. Petitioner also filed a petition under the Domestic Violence Act. During the hearing of bail application parties were referred to Mediation Centre, Rohini Courts wherein a settlement was arrived at between the parties on 16.05.2016. Pursuant to the settlement, first motion was filed and accepted. Trial court has noted that Investigation Officer had informed that investigation was almost complete and chargesheet was likely to be filed. Respondent no.2 had cooperated in investigation. Taking all these facts into account trial court has granted anticipatory bail.

I do not find order passed by the trial court to be erroneous and suffering from any illegality. The facts narrated above justify grant of anticipatory bail. Veracity of allegations and counter allegations are subject matter of trial.

Petition is dismissed. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

OCTOBER 04, 2016/ga