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

+ **BAIL APPLN. 2572/2016**

SUMAN DEVI

..... Petitioner

Represented by: Mr. S. Gupta, Mr. Kartickay
Mathur, Advs.

versus

GOVT. OF NCT OF DELHI

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with ASI Narender Singh PS
Bhalswa Dairy.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.12.2016

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Crl.M.A. 19542/2016

Exemption allowed subject to just exceptions.

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By the present petition the petitioner seeks anticipatory bail in case FIR No.340/2016 under Sections 498A/406/34 IPC registered at PS Bhalswa Dairy.

At the outset learned APP for the State on instructions submit that the petitioner is the mother-in-law of the complainant and no permission for the arrest of the petitioner has been taken so far from the competent authority, thus there is no apprehension of arrest at the moment.

The present petition is thus premature. The investigating officer is directed to give one week notice in case permission for arrest of the petitioner is sought for and granted by the competent authority.

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In the meantime the DCP concerned will enquire into the matter as to why the fact that no permission for arrest of the petitioner was sought was not brought to the notice of the learned ASJ when the bail application was decided on 22nd November, 2016. If no such information was given by the investigating officer, action in accordance with law be taken.

Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 19, 2016
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