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

+ **BAIL APPLN. 2762/2015**

RAVINDRA SINGH

..... Petitioner

Through : Dr.L.S.Chaudhary, Advocate with
Mr.Karamveer Singh, Advocate.

versus

THE STATE (NCT) OF DELHI

..... Respondent

Through : Mr.Raghuvinder Varma, APP with
Insp. Suman Bala.
Ms.Lal Ranguri, Advocate with
Mr.Vijay K.Ravi, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **05.02.2016**

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.724/2014 registered under Sections 307/498-A/34 IPC at PS Mahender Park. 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. There is delay of thirteen days in lodging the report with the police. Status report reveals that the complainant's version during investigation to have fallen from 4th floor was not substantiated. In the initial version given to the police and the doctor, the victim had informed her fall from 1st floor due to epilepsy.

3. During the course of arguments, learned counsel for the complainant informed that substantial amount has been spent by

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victim's parents on her treatment and no amount has been contributed so far by the petitioner – her husband. It was agreed that ₹2 lacs shall be paid by the petitioner to the victim by way of demand draft within three weeks without prejudice and subject to future adjustment (if any) through the Investigating Officer. On this, complainant's counsel has no objection to the grant of anticipatory bail to the petitioner.

4. Considering the facts and circumstances of the case and the offer given by the petitioner to pay ₹2 lacs to his wife, 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.

5. The petitioner shall pay ₹2 lacs to the complainant by way of demand draft within three weeks through the Investigating Officer. This amount shall be without prejudice and subject to future adjustment (if any).

6. On perusal of the status report, it reveals that the Investigating Officer has attempted to collect negative evidence to give clean chit to the petitioner. Despite the FIR lodged in November, 2014 and issuance of coercive proceedings she was unable to apprehend the petitioner till date. In the interest of justice and for fair investigation, let the investigation be conducted by some other Investigating Officer.

7. The bail application stands disposed of.

S.P.GARG, J

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