

\$~4

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

+ BAIL APPLN. 78/2017

RADHA DEVI

..... Petitioner

Through Mr.Jugal Bagga, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Through Mr.M.S. Oberoi, APP with SI Om
Parkash, PS Badarpur.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **17.01.2017**

Crl.M.A. 848/2017 (Exemption)

Application is allowed subject to just exceptions.

Bail Appln. 78/2017

Arguments heard.

The present application has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.745/2015, under Sections 498A/406/34 IPC, Police Station Badarpur.

As per FIR, the allegations levelled are that the marriage of the complainant was solemnized with accused Navin Dutt Sharma on 13.12.2010 according to Hindu rites and ceremonies. In the marriage, the parents and other relatives of the complainant gave jewellery worth Rs.4,00,000/- along with other articles. After marriage, the complainant went to her matrimonial home where she found her

husband, mother-in-law and sisters-in-law not satisfied with the dowry articles. They started demanding a flat. Parents of the complainant arranged a sum of Rs.7 lakhs in order to save her marriage. The complainant was constantly being harassed on account of demand of dowry. Therefore, the complainant along with her daughter Laxmi started residing at her parental home. The complainant had filed a petition under Section 125 Cr.P.C. but she returned to her matrimonial home but she continuously received taunts and mental and physical harassment on account of demand of dowry.

During the course of arguments, it has been submitted that three sisters-in-law of the complainant have been granted anticipatory bail vide order dated 8.11.2016. The petitioner/accused happened to be mother-in-law of the complainant. As per FIR, the allegations levelled against the petitioner/accused are also similar to that of sisters-in-law of the complainant.

Consequently, on the ground of parity, the petitioner/accused is granted anticipatory bail. It is hereby ordered that in the event of arrest of the accused/petitioner, he shall be released on bail on furnishing the personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the arresting officer. The accused/petitioner is directed to join the investigation as and when required; not to tamper with the evidence; not to influence the prosecution witnesses; and shall not leave the country without prior permission of the court concerned.

Before parting with the order, this court would like to place it

on record by way of abundant caution that whatever has been stated hereinabove in this order has been so said only for the purpose of disposing of the prayer for bail made by the petitioner. Nothing contained in this order shall be construed as expression of a final opinion on any of the issues of fact or law arising for decision in the case which shall naturally have to be done by the Trial Court seized of the trial.

Bail application is accordingly disposed of.

P.S.TEJI, J

JANUARY 17, 2017
dd