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

+ **BAIL APPLN. 148/2017**

PARDEEP

Through :Mr. Trideep and Ms. Deeksha Gujral,
Advvs.

..... Petitioner

versus

STATE

Through : Dr. M.P. Singh, APP

..... Respondent

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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21.03.2017

Learned counsel for the petitioner submits that petitioner is the husband of the complainant. Complainant has lodged the FIR after four years of marriage. As per the complainant herself, petitioner, along with his mother and sister, had forcibly poured poisonous substance in her mouth at the matrimonial home. Father of the complainant has stated that, after pouring poisonous substance, petitioner had dropped the complainant at his house. He took the complainant to hospital, where her treatment was done. Learned counsel submits that complainant left the hospital against the medical advice. Petitioner has been falsely implicated in this case. Complainant was admitted in the hospital at about 7:50 pm; whereas as per

the complainant, poisonous substance was poured in her mouth at about 6:00 pm to 6:30 pm at the matrimonial home. He further submits that CCTV footage of the neighbouring areas shows that petitioner had gone on a motorcycle with the complainant at about 3:30 pm and come back alone on his motorcycle on 4:00 pm, thus, plea of complainant on the face of it is not true.

Learned APP has opposed the grant of bail to petitioner. It is submitted that complainant has specifically alleged in the FIR that petitioner had poured poisonous substance in her mouth forcibly. The allegations are serious in nature; therefore, petitioner cannot be admitted to bail. He further submits that Investigating Officer tried to collect the CCTV footage, but he was told that CCTV footage is preserved only for 7-15 days.

Learned counsel for the petitioner submits that CCTV footage was given to the Investigating Officer on 13th December, 2016, that is, within seven days and Investigating Officer could have taken steps to get this CCTV footage preserved. CCTV photographs have been annexed at pages 38 to 42.

Keeping in mind the totality of circumstances, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹25,000/-

(Rupees Twenty Five Thousand Only) with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

MARCH 21, 2017
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