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

+ BAIL APPLN. 89/2017

SANTOSH & ANR.

..... Petitioner

Through Mr.Trideep and Ms.Deeksha Gujral,  
Adv.

versus

STATE

..... Respondent

Through Mr.Sudershan Joon, APP with  
Mr.Vijay Kumar, DCP (West), Insp.  
Raj Kumar, SHO and SI Santosh  
Kumar, PS Tilak Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE P.S.TEJI**

**ORDER**

% **18.01.2017**

Arguments heard.

The present application has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.799/2016, under Sections 328/498A/34 IPC, Police Station Tilak Nagar.

As per FIR, the allegations levelled are that the marriage of the complainant was solemnized with accused Pradeep in the year 2012. On 05.12.2016, sister-in-law (nanad) of the complainant, namely, Situ came to the matrimonial house of the complainant. Mother-in-law, sister-in-law and husband of the complainant asked her to bring Rs.5 lakhs from her parents but the complainant refused. In the evening at about 6.00-6.30 p.m., husband of the complainant brought a bottle

and made the complainant drink the same after pouring it into a bottle. When complainant asked as to what it was, she was informed that it was poison. When complainant resisted, mother-in-law Santosh and sister-in-law Situ caught hold of her hands and laid her on the ground. Accused Pradeep forcibly poured the liquid into the mouth of the complainant. The complainant started feeling giddiness. When complainant regained consciousness, she found herself in the hospital.

It has been submitted that the husband of the complainant is already in custody. It is further submitted that the accused persons/petitioners are the mother-in-law and sister-in-law of the complainant. It is further submitted that no specific role has been assigned to the petitioners and it was the husband of the complainant who had allegedly administered poison to her.

During the course of arguments, it has been revealed that the complainant was made to consume phenyl. There is no specific role of the petitioners as it is alleged against the co-accused Pradeep that he made the complainant consume the alleged liquid.

In the above mentioned facts and circumstances, the application is allowed. It is hereby ordered that in the event of arrest of the accused persons/petitioners, namely, Santosh and Savita @ Situ, they shall be released on bail on furnishing the personal bond in the sum of Rs.15,000/- each with one surety in the like amount to the satisfaction of the arresting officer. The accused persons/petitioners are 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 18, 2017**  
**dd**