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

+ **BAIL APPLN. 363/2017**

HEERA LAL & ANR

..... Petitioner

Through Mr.Rajesh Pandey, Mr.Girish Kumar
Sharma and Mr.Madhup Kumar,
Adv.

versus

STATE

..... Respondent

Through Mr.Ashish Dutta, APP with ASI Ram
Bhajan, PS Baba Haridas Nagar.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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01.03.2017

Crl.M.A. 3532/2017 (Exemption)

Application is allowed subject to just exceptions.

Bail Appln. 363/2017

Arguments heard.

The present application has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.25/2017, under Section 306/34 IPC, Police Station Baba Haridas Nagar.

The facts, in brief, are that the dead body of the deceased Karuna was found by the police on 05.02.2017 along with a suicide

note. The proceedings under Section 174 Cr.P.C. were initiated but of no consequence. Ultimately, a complaint was filed by the brother of the deceased on 14.02.2017 reiterating the allegations made in the suicide note of the deceased i.e. after a delay of 11 days. Since the date of registration of FIR, till date neither any corroborative material has come forward nor has any proceeding been initiated to collect the same. The situation as on today is same what was on 05.02.2017.

During the course of arguments, the admitted position is that the investigation is yet to take place to find out the authenticity of the suicide note. As per the factual position mentioned above, apparently there is no necessity of custodial interrogation of the petitioners/accused persons in the present case.

In view of above mentioned facts and circumstances, the bail application is allowed. It is hereby ordered that in the event of arrest of the petitioners/accused persons, they shall be released on furnishing the personal bond in the sum of Rs.15,000/- with one surety each in the like amount to the satisfaction of the arresting officer. The petitioners are directed to join the investigation as and when required. They shall not tamper with the evidence and shall not

influence the prosecution witnesses. They are further directed not to 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

MARCH 01, 2017
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