

\$~1

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

+ BAIL APPLN. 755/2016 and Crl. M.A. 6376/2017

Dr. NAGENDRA & ANR

..... Petitioners

Through: Mr. Bharat Sharma and Ms. Mansi
Kaushik, Advocates

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Tarang Srivastava, APP with ASI
Krishan Kumar, PS Yamnua Depot Metro
Ms. Sanguita Singh, Advocate for the complainant

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

%

19.04.2017

The complainant through counsel has filed an application under Section 482 Cr. PC (i.e. Crl. M.A. 6376/2017) seeking to oppose the application for release on anticipatory bail.

The counsel for the applicants in the application for anticipatory bail, the learned additional public prosecutor for the respondent / State as also the counsel for the complainant have been heard at length. The record has been perused.

The case registered by the police vide FIR no.626/15 in police station Yamuna Depot Metro concerns offences allegedly committed under Section 306 IPC and Section 3 read with Section 4 of Dowry Prohibition Act, 1961. It appears that the marriage of the first petitioner had been fixed to be performed with the deceased Anjali,

sister of the complainant / first informant Anubhav Kumar. It appears there is some evidence in the form of audio recording of telephonic conversation between the deceased and the first petitioner, on one hand, and the complainant with the petitioners, on the other, indicating availability of some evidence as to the desire / demand for dowry. Be that as it may, the marriage did not take place and after a meeting between the two sides involving some other persons in the vicinity of India Gate on 22.11.2015, on return journey Anjali committed suicide by jumping in front of a metro train.

On 11.05.2016, it was submitted on behalf of the investigating agency that the investigation carried out does not warrant custodial interrogation of the applications. Though the complainant seems to have some grievances against the investigating officer, the fact remains that the petitioners have joined investigation as and when called upon to do so.

In the facts and circumstances of the case, the petitioners deserve protection in the form of anticipatory bail. Thus, the petition is allowed. It is directed that in the event of they being arrested the petitioners shall be released on bail on they furnishing personal bonds in the sum of Rs.25,000/- with one surety each in like amount to the satisfaction of the arresting officer subject to the conditions that they shall continue cooperating with the investigation and join the same as and when called upon to do so and shall not come in contact with or try to influence any of the witnesses connected to the case.

It is made clear that this order will inure only till the date of first appearance of the petitioners in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against

them by the court of cognizance.

This disposes of all the pending applications.

Dasti.

R.K.GAUBA, J.

APRIL 19, 2017

yg

BAIL APPLN. 755/2016

page 3 of 3