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

+ BAIL APPLN. 583/2017

AMIT CHAUHAN Petitioner
Through Mr. S.K. Dyal, Advocate

versus

THE STATE (GOVT. OF NCT DELHI) Respondent
Through Mr. Ashish Dutta, APP for State
Complainant in-person

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **09.05.2017**

The petitioner seeks bail in connection with FIR No. 648/2015 dated 18.12.2015 (P.S. Shahdara) instituted for offences under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961. Later on, Sections 376, 377, 494 and 323 IPC were also added.

It is alleged that the petitioner, after marrying the complainant, put her to lot of harassment: mental as well as physical.

The petitioner has a different story to narrate. He submits that the complainant wanted a different kind of life style, which he was not in a position to provide to her. This led to matrimonial dispute and ultimately resulted in lodging of the present FIR.

The petitioner has further submitted that the allegation of the petitioner having earlier married with one Neha and committing fraud upon the complainant by marrying her again when one spouse was living, is

incorrect.

The statement of the aforesaid Neha has been brought on record wherein she has clearly stated before the Court below that only for obtaining Marriage Certificate, for befooling her parents that she claimed about her marriage to the petitioner.

Learned counsel for the petitioner has brought on record copy of the FIR No. 804/2015 dated 06.12.2015 lodged at Police Station Katghar, District Muradabad, U.P., against the complainant at the instance of petitioner's father, under Sections 406/323/504/506/494 IPC and Section 67a of the IT Act, 2008. It has also been brought to the notice of the Court that the complainant approached the High Court of Allahabad, U.P. for quashing of the above said FIR and the said petition was rejected.

Be that as it may, the present case appears to be one of the matrimonial dispute.

Learned counsel for the petitioner submits that he shall participate in investigation and would also appear before the CAW Cell, in case he is asked to appear.

Considering the facts and circumstances of this case, this Court is inclined to grant bail to the petitioner.

Let the petitioner be released on bail on his furnishing a bond in the sum of Rs.10,000/- with two sureties of like amount to the satisfaction of the Trial Court.

The petitioner, after his release on bail, shall participate in investigation and would not create any uncomfortable situation for the complainant.

With the above observations, the petition is allowed and disposed of.
Dasti.

ASHUTOSH KUMAR, J

MAY 09, 2017

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