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

+ **BAIL APPLN. 1919/2016**

UMESH KUMAR ARORA

..... Petitioner

Through: Mr.Sumit Gaba, Adv. along with
petitioner in person.

versus

STATE

..... Respondent

Through:Dr.M.P.Singh, APP.

SI Pankaj, P.S. Kirti Nagar.

Mr.Manish Kumar Saryal with Mr.Sunil Kumar,
Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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13.09.2017

The petitioner seeks bail in anticipation of his arrest in connection with FIR No.203/2016, dated 20.04.2016 at P.S. Kirti Nagar instituted for the offences under Sections 406/498A and 34 of the IPC.

The petitioner as well as the complainant married each other after being divorced by their earlier spouses. The marriage, according to the petitioner, was a simple one which was performed in a temple. The petitioner is stated to be, in the past, earning his livelihood in Canada as a taxi driver. The petitioner has been staying in India and ever since the lodging of the case, has been participating in the investigation. An attempt was made by this Court to get the dispute between the petitioner and complainant settled through mediation but the same has failed.

The petitioner as well as the complainant are present in Court today.

There appears to be no headway in the process of rapprochement between the spouses.

Be that as it may, the complainant maintains her allegation that her gold ornaments, has not yet been returned . The petitioner, on the other hand, submits that everything which belonged to the complainant was attempted to be returned to her but the complainant did not accept the same as she thought that those articles did not belong to her.

Taking into account the aforesaid stalemate between the spouses and the fact that the petitioner has been participated in the investigation, this Court is inclined to confirm the provisional anticipatory bail granted to him.

In the event of arrest or surrender, the petitioner shall be released on bail on his furnishing a bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the arresting officer/court.

The petitioner, shall, however participate in investigation and shall not leave the territorial confines of Delhi without prior permission of the trial court. The petitioner shall hand over, at the time of furnishing of bond, his passport before the trial court. Any attempt of the petitioner to evade the process of the investigation or the process of trial, will entitle the police/complainant to file an application seeking cancellation of the anticipatory bail.

The application is disposed of.

Dasti.

ASHUTOSH KUMAR, J

SEPTEMBER 13, 2017

Bisht