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

+ **BAIL APPLN. 1045/2017**

KHUSHBOO @ KAJAL

..... Petitioner

Through: Mr. Vivek Srivastava, Advocate

versus

STATE

..... Respondent

Through: Mr. Amit Chadha, APP for the State
with SI Raghuvendra Singh, PS
Usmanpur.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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29.05.2017

Crl.M.A.9362/2017 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 1045/2017

Status report submitted. Taken on record.

Heard. Perused.

The FIR No.138/2017 of Police Station New Usmanpur was registered on 19.02.2017 for investigation into the offence under Section 306/34 IPC, *inter alia*, on the basis of suicidal note left behind by Renu, who committed suicide some time prior to 05:30 p.m. on the said date by hanging by the neck.

The allegations have been made, *inter alia*, against the petitioner in the said suicide note it is on that basis that her role concerning abetment of suicide is being investigated into. It is noted that prior to the said incident of suicide, atleast two other crimes had been registered one for offence under Section 376 IPC, it being FIR No.20/2017 of Police Station New Usmanpur at the instance of the sister of the petitioner and another under Section 308/34 IPC, it being FIR No.135/2017 also of the same Police Station at the instance of the petitioner herself.

It appears to be the grievance of the deceased woman that these cases represented false implication. Since the cases in question are still pending investigation, it cannot be said that whatever was alleged in those cases was false or motivated. Mere grant of release on bail in the case of rape will not amount to a circumstance rendering the allegations of rape under cloud.

In the above facts and circumstances, the petitioner deserves protection.

It is directed that in the event of she being arrested in case FIR No.138/2017, under Section 306/34 IPC of Police Station New Usmanpur the petitioner Khushboo @ Kajal shall be released on bail on her furnishing personal bonds in the sum of Rs.10,000/- with one surety in like amount to the satisfaction of the arresting officer, subject to the conditions that she 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 petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against her by the court of cognizance.

Dasti.

R.K.GAUBA, J.

MAY 29, 2017
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