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

+ **BAIL APPLN. 1098/2017**

AZAD YADAV

..... Petitioner

Through Mr.Vivek Agarwal, Adv.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through Mr.Arun Kumar Sharma, APP.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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31.05.2017

Crl.M.A. 9756/2017

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

Bail Appln.1098/2017

Though this petition has been filed seeking bail in anticipation of arrest, but no FIR has yet been lodged.

It has been submitted on behalf of the petitioner that a complaint has been lodged by the father-in-law of the petitioner before the CAW cell and there is every likelihood of the complaint maturing into an FIR.

During the course of argument, learned counsel for the petitioner limited his prayer to the extent that a direction be given to the investigating agency to atleast issue notice the petitioner before arresting him, a week in advance.

Mr.Arun Kumar Sharma, APP, however, submits that a similar prayer

was made by the husband of the complainant, which was not entertained by a co-ordinate bench and the same was withdrawn.

The complainant is present in Court and submits that such a notice could be given to the petitioner provided the complainant is allowed to visit her children, who are living with her husband in the family accommodation, every week, pursuant to the orders of the Family Court.

The husband of the complainant who is also present in court has given an undertaking that the complainant shall be permitted to interact with her children and he would not be present in the room where the meetings would be held.

Taking into account the aforesaid undertaking by the husband of the complainant, it is directed that whenever, after the institution of the FIR, it is deemed expedient by the investigating agency to arrest the petitioner, 7 days notice would be given to him.

With these observations, the present petition is disposed of.

ASHUTOSH KUMAR, J

MAY 31, 2017
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