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

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+ BAIL APPLN. 1166/2017 & CrI. MA 10013/2017 & CrI.MB 1113/2017

PUSHPA SHARMA

..... Petitioner

Through: Mr Prasouk Jain and Mr Pratham Mittal,
Advocates

versus

GOVERNMENT OF NCT OF DELHI

..... Respondent

Through: Dr. M.P. Singh, APP for State with Insp
Prashant Kumar and SI Jitender Kumar PS
Welcome, New Delhi

CORAM: JUSTICE S.MURALIDHAR

ORDER

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15.06.2017

CrI. MA 10012/2017 (exemption)

1. Allowed, subject to all just exceptions.

BAIL APPLN. 1166/2017

2. This is an application under Section 439 Code of Criminal Procedure (Cr PC) for grant of regular bail in case FIR No.0160/2017 PS Welcome registered under Sections 498A/304B/34 IPC.

3. The Petitioner is the mother-in-law of the deceased. The Petitioner is in custody since 27th April, 2017.

4. The allegations in the FIR *qua* the father-in-law, the mother-in-law, the sister-in-law and the brother-in-law are identical. The FIR records the statement of the father of the deceased that he had a strong doubt that all of

the above persons have killed his daughter. He added that he also had a doubt against his son-in-law.

5.The fact of the matter is that the regular bail has been granted to the sister-in-law, the brother-in-law and the father-in-law of the deceased. In those bail orders there is a discussion whether the deceased was in fact living with the family of her husband, which included the aforementioned persons or she was living separately with her husband. It has been the case of these persons that they were living separately. On this aspect, there is absolutely no difference between the case of the Petitioner i.e. the mother-in-law and the other family members as noted hereinbefore (barring the son-in-law i.e. the husband of the deceased). The regular bail granted to the aforesaid persons by the orders dated 6th May, 8th May and 20th May, 2017 of the trial Court have not been questioned by the prosecution.

6.The learned APP has been unable to show how the Petitioner's case is different from the case against the other co-accused i.e. the father-in-law, the sister-in-law and the brother-in-law of the deceased.

7.Accordingly, it is directed that the Petitioner be released on bail on her furnishing personal bond in the sum of Rs.40,000/- with one surety in the like amount to the satisfaction of the concerned Trial Court/Duty MM and subject to the further condition that she will not, directly or indirectly, contact and influence the complainant or any member of his family or any of the prospective witnesses.

8. The application is disposed of.

9. *Dasti* under the signature of the Court Master.

**S.MURALIDHAR, J.
(VACATION JUDGE)**

JUNE 15, 2017
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