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

+ **BAIL APPLN. 2292/2016**

INDERJEET

..... Petitioner

Through: Mr.Vivek Sharma, Adv. with
Mr.Kumar Mukesh, Advs.

versus

THE STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Ms.Kusum Dhalla, APP for State
Mr.Varun Yadav, Adv. for R-2.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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09.02.2017

This is an application under Section 439 Cr.P.C. filed on behalf of the petitioner seeking grant of regular bail in case FIR No.543/2014, under Sections 328/366/376/120 B IPC, registered at Police Station-Ranhola, Delhi.

Learned counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in FIR No.543/2014, under Sections 328/366/376/120 B IPC, registered at Police Station-Ranhola is false. He further submits that the marriage between the petitioner and the complainant was solemnized on 21.02.2014. He further submits that the FIR was lodged on the basis of the complaint under Section 156 (3) Cr.P.C. He submits that first motion took place between the petitioner and the complainant on 01.02.2017. Counsel for the petitioner further submits that investigation has already been completed and the charge sheet has already been filed. He further submits that the petitioner is in judicial custody since 02.06.2016 and not required for further investigation in the present case. He has further submitted that trial is not likely to conclude in near future and the continued

incarceration of the petitioner will not serve any purpose and prays that the petitioner be released on regular bail.

On the other hand, learned APP for the State has vehemently opposed the bail application and has submitted that the allegations levelled against the petitioner are very serious in nature. She further submits that the petitioner may influence the witnesses during trial, if released on bail.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 02.06.2016.

Looking in the above facts and circumstances, since the investigation has already been completed and the petitioner is stated to be in judicial custody since 02.06.2016 and first motion between the petitioner and the complainant has already taken place, no purpose would be served if the petitioner is kept in judicial custody as the trial is likely to take some time, consequently, the petitioner is granted bail on his furnishing a bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the concerned Court below with the condition that he shall not influence the prosecution witnesses; he shall not contact, threaten or coerce the victim or any of her family members or to indulge in any illegal activities; he shall not tamper the prosecution evidence and he should not leave India without prior permission of the Court below.

The present bail application is allowed and disposed of accordingly. However, this order shall not affect the merit of the case.

Copy of the order be given *dasti*, as prayed.

I.S.MEHTA, J

FEBRUARY 09, 2017/radhika