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

+ **BAIL APPLN. 2405/2016**

SMT SUSHILA

..... Petitioner

Through: Mr. Ajay Kumar Tyagi, Advocate.

versus

STATE GOVT OF NCT OF DELHI)

..... Respondent

Through: Ms. Radhika Kolluru, APP along with
Inspector Uma Dutt, PS- Mangol
Puri, for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

19.01.2017

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The petitioner has preferred the present bail application under Section 438 Cr.P.C. to seek anticipatory bail in case FIR No. 796/2016 under Sections 304-B/498A/34 IPC registered at PS Mangolpuri.

The learned ASJ vide order dated 09.09.2016, granted protection to the petitioner by directing that the IO shall give four working days advance notice to her on proposing to arrest in the case. The petitioner was required to join the investigation on 10.09.2016 and thereafter as and when called for by the IO/SHO. The petitioner thereafter preferred the present anticipatory bail application before this Court. This Court directed the petitioner to file the order whereby the anticipatory bail application was rejected by the trial

court. No such order has been filed on record. Ms. Kolluru submits that in fact there is no such order subsequent to the order dated 09.09.2016. Ms. Kolluru submits that the petitioner has not joined the investigation. Non-bailable warrants have been issued against her and proceedings under Section 82 Cr.P.C. have also been initiated.

In view of the aforesaid position, I am not inclined to grant any relief to the petitioner. Dismissed.

At this stage, learned counsel for the petitioner states that the petitioner is on her family way and she is expecting her baby at the end of this month. It goes without saying that the IO concerned shall be mindful of the said circumstance while proceeding against the petitioner.

VIPIN SANGHI, J

JANUARY 19, 2017
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