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

+ **BAIL APPLN. 2568/2016**

SUSHMA THAKUR & ANR

..... Petitioner

Represented by: Mr. Samar Khan, Mr. Anil
Thomas, Mr. Abishek Bakshi,
Mohd. Bilal, Advs.

versus

STATE

..... Respondent

Represented by: Mr. Ravi Nayak, APP with
Insp. Ram Sahay PS Jaitpur.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.02.2017

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1. Petitioner No.2 has not approached the learned Additional Sessions Judge in the first instance. Thus the present petition qua petitioner No.2 is dismissed with liberty to the petitioner No.2/ Rohit Kumar Thakur to approach the learned ASJ in the first instance.

2. This anticipatory bail application is confined to petitioner No.1/ Sushma Thakur only.

3. The allegations of the complainant Arti Bachchan Singh, the foster mother and paternal aunt of the deceased Poonam Singh are that after the death of Poonam's mother when she was two and a half years she was

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maintaining her. Marriage of Poonam was solemnized with Rohit on 23rd October, 2012 and the same was a love marriage performed in the Court with the consent of the complainant. Even after marriage Poonam Singh was in contact with the complainant and she was having a son aged three years. The complainant stated that Poonam used to tell her on phone that her husband used to beat her and her mother-in-law i.e. the present petitioner/ Sushma Thakur did not like her. She categorically stated that there was no demand of dowry on behalf of the accused persons. Further allegation in the FIR is that when she was talking to Poonam on the night of 17th October, 2016 at 9.30 PM Poonam stated that her husband and mother-in-law had given her too much beatings and she could not tolerate the same. The next day also Poonam talked to her and she stated that she was having severe pain and will call her later. Thereafter again Poonam called her stating that her pain was unbearable and she would die. Later she was informed by the family members of the petitioner that Poonam had been taken to hospital and her condition was serious and thereafter that Poonam had died.

4. Thus in the complaint, the complainant alleged two facts against the petitioner that she did not like Poonam and on 17th October, 2016 at 9.30 PM the petitioners No.1 and Petitioner No.2 had given her beatings. The deceased died on 18th October, 2016 and as per the post-mortem report no external injury except the ligature mark on the neck was found.

5. Considering the nature of allegations against the petitioner and the fact that petitioner No.1 has to look after the three year old child of the deceased, this Court deems it fit to grant anticipatory bail to the petitioner

No.1. It is therefore directed that in the event of arrest, the petitioner No.1/ Sushma Thakur be released on bail on her furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned, further subject to the condition that she will join the investigation as and when directed and will not leave the country without prior permission of the Court concerned.

6. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 06, 2017
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