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

+ BAIL APPLN. 396/2017

AJIT @ AJIT SINGH

..... Petitioner

Through Mr.Davinder Kumar, Adv.

versus

STATE

..... Respondent

Through Mr.Akshai Malik, APP with SI  
Paritosh and ASI Jai Bhagwan, PS  
Kirti Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE P.S.TEJI**

**ORDER**

% **15.03.2017**

Arguments heard.

The present application has been filed under Section read with Section 482 Cr.P.C. for the grant of anticipatory bail in FIR No.324/2015, under Section 316 IPC, Police Station Kirti Nagar.

As per FIR, the allegations levelled are that the complainant Rekha has made a statement to the police that she had performed a love marriage with accused Ajit. After few days of marriage, accused Ajit and his family members started harassing the complainant. The complainant and her husband started residing separately. After few days, husband of the complainant left her and after persuasion they started living together. On 02.06.2015, husband of the complainant gave beatings to her against which she had made a report to the police and the accused was arrested. She further stated that on that day, her

husband gave a leg blow on her stomach. On 08.06.2015 due to severe pain, the complainant went to DDU Hospital where she suffered miscarriage of her 2½ fetus.

On the basis of complaint made by the complainant, FIR of the instant case was registered on 11.06.2015.

Argument advanced by the learned counsel for the petitioner/accused is that he has been falsely implicated in the present case and the allegations levelled against him are false. It is submitted that the complainant is the wife of one Sonu and she is having a daughter aged about 5 years from the said marriage. It is further submitted that the petitioner was falsely implicated in a kalandara case and was arrested on 02.06.2015 and after the dropping of proceedings of the kalandara, the petitioner was released on bail.

Perusal of record shows that the proceedings under Section 82 Cr.P.C. were pending against the petitioner when the anticipatory bail application of the accused was dismissed by the Court below vide order dated 06.12.2016.

Apparently, the fact regarding pendency of declaring the accused as Proclaimed Offender has been concealed in the present bail application which amounts to concealment of material fact from the Court.

In view of the above mentioned facts and circumstances, this Court is not inclined to grant the concession of anticipatory bail to the accused.

Before parting with the order, this Court would like to place it on record by way of abundant caution that whatever has been stated

hereinabove in this order has been so said only for the purpose of disposing of the prayer for bail made by the petitioner. Nothing contained in this order shall be construed as expression of a final opinion on any of the issues of fact or law arising for decision in the case which shall naturally have to be done by the Trial Court seized of the trial.

Bail application is accordingly dismissed.

**P.S.TEJI, J**

**MARCH 15, 2017**  
**dd**