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

+ **BAIL APPLN. 54/2017**

IRFAN MALIK Petitioner

Through: Mr.Abdul Salam, Adv.

versus

THE STATE Respondent

Through: Mr.Izhar Ahmad, APP for State
Inspector Harish Kumar, ASI Chhgju
Lal, Police Station-Gokal Puri

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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17.05.2017

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.527/2016, under Sections 498-A/406/307/34 IPC, registered at Police Station-Gokalpuri, Delhi.

Learned counsel for the petitioner submits that the petitioner is a law abiding citizen and is an innocent person and the allegations alleged in the FIR is false. He has further submitted that the dispute pertains to matrimonial relationship and the petitioner has remained in J/C for about 5 months and the petitioner is 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 incarceration of the petitioner will not serve any purpose and prays that the petitioner be released on regular bail.

Learned APP for the State vehemently opposes the bail application. However, the learned APP on instructions from the Investigating Officer admits that the petitioner is the husband of complainant.

What is emerging from the arguments as well as the facts on record is that the petitioner is the husband of the complainant and the matter pertains to family dispute. The petitioner has remained in judicial custody for more than 5 months. Considering the facts and circumstances of the case, the petitioner is granted bail on his furnishing personal 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 the petitioner shall not influence the prosecution witnesses; the petitioner shall not tamper the prosecution evidence and the petitioner 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 this order be given *dasti*.

I.S.MEHTA, J

MAY 17, 2017/sr