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

+ **BAIL APPLN. 1868/2017**

RAM NIWAS SHARMA

..... Petitioner

Through: Mr.Sunil Tiwari, Adv. with Ms.Preeti
Mittal, Adv.

versus

THE STATE NCT OF DELHI

..... Respondent

Through: Mr.Hirein Sharma, APP for State
SI Dharmendra Pratap Singh, PS-
Samaipur Badli

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **27.09.2017**

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.823/2014, under Sections 498-A/304-B/406/34 IPC, registered at Police Station-Samaipur, Delhi.

Learned counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in FIR No.823/2014, under Sections 498-A/304-B/406/34 IPC, registered at Police Station-Samaipur Badli, Delhi is false. He further submits that the petitioner is the father-in-law of the deceased and he has been falsely implicated in this case. He has further submitted that when the deceased committed suicide on 31.07.2014, the petitioner was not in the knowledge of the same. Counsel for the petitioner further submits that the petitioner is in judicial custody since 01.10.2014. 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. He has further submitted that the deceased died within a period of 1 ½ years of marriage. He has further submitted that the petitioner is the father-in-law of the deceased and there is allegations against him of dowry demand. He has further submitted that there is also allegation against the husband of the deceased regarding beating and torturing the deceased.

What is emerging from the arguments as well as the facts on record is that the petitioner is the father-in-law of the deceased. It is an admitted case of both the parties that the petitioner right now is in judicial custody since 01.10.2014. Neither any specific role has been attributed nor any specific allegation has been made against the present petitioner in the text message sent by the deceased. The investigation has already been completed and the petitioner is stated to be in judicial custody since 01.10.2014. 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 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

SEPTEMBER 27, 2017/sr