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

+ **BAIL APPLN. 2123/2017**

MANJU

..... Petitioner

Through: Mr. Joginder Tuli, Mr. Ashu Kumar
Sharma, Ms. Joshini Tuli & Ms.
Oshin Belove, Advocates.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. M.P. Singh, APP for State.
SI Satish Kumar, PS Mangopuri.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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07.11.2017

CRL.M.A. 17289/2017 (Ex.)

Exemption allowed subject to all just exceptions.

Application is disposed of.

BAIL APPLN. 2123/2017

The petitioner seeks bail in connection with FIR No. 912/2016 dated 19.09.2016 (P.S. Mangolpuri) instituted for the offence under Section 307/34 of IPC.

The petitioner is said to be in custody since 21.09.2016.

According to the allegation, the victim viz. Ruchi was pushed from the balcony of her house by the petitioner and her brother, which led to injuries on the person of Ruchi.

Ruchi, the daughter of the complainant, had become friends with the brother of the petitioner and when Ruchi disclosed her intention to marry him, her mother objected on the ground that the brother of the petitioner was a drug addict. The brother of the petitioner alleged that he had paid Rs. 1,00,000/- to Ruchi and he therefore insisted that either the money be returned to him or marriage be solemnized. This was not acceptable to the complainant and her family.

On the day of the occurrence, the petitioner along with her brother and two others had gone to the house of the complainant to register their protest. It is there, that Ruchi was given a push by the petitioner and another, from the balcony, while she had gone upstairs to fetch water for house guests.

Learned counsel for the petitioner has submitted that it was an accidental fall of Ruchi and the injuries suffered by her also do not support the prosecution version. He has further stated that the petitioner has been working as a nurse with the AIIMS for the last 15 years and has a handicapped child and aged in-laws to look after and cater to.

Taking into account the nature of accusation against the petitioner, the nature of injury suffered by Ruchi and the fact that the petitioner is a lady, who has to look after a physically challenged child, this court is inclined to grant bail to the petitioner. While saying so, this court has also taken note of the fact that in the Trial, 15 witnesses including the complainant, have upto now been examined and only some are left to be examined.

The petitioner is directed to be released on bail on her furnishing bond in the sum of Rs. 10,000/- with one surety of like amount to the satisfaction of the Trial Court.

The petitioner shall, however, participate in the trial and her absence from the trial proceedings for three consecutive dates would entitle the Trial Court to proceed ahead for cancellation of bail of the petitioner, granted by this court.

Application is disposed of accordingly.

Dasti.

ASHUTOSH KUMAR, J

NOVEMBER 07, 2017
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