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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2197/2017**

ANSHUL GUPTA Petitioner
Through: Ms. Meena Chaudhary, Adv.

Versus

THE STATE GOVT OF NCT OF DELHI Respondent
Through: Ms. Meenakshi Dahiya, APP for State
with W/SI Bharti, P.S. Shalimar
Bagh.
Mr. Anish Sharma, Adv. for
Complainant along with Complainant
in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK
ORDER
% **01.11.2017**

Crl. M.A. 17766/2017

Allowed, subject to all just exceptions.

Application is disposed of.

Bail Appln. 2197/2017

It is submitted that FIR runs into more than 15 pages. FIR has been filed after two years of marriage. It is not the case that complainant was keeping a diary and noting dates of incidents in the said diary as no diary has been produced before the police. It is submitted that petitioner participated

in the investigation before the Investigating Officer on seven times, that is, 02/02/2016, 23/02/2017, 22/03/2017, 27/03/2017 and 19/04/2017. Initially, FIR was registered under Sections 498-A/406/34 IPC. However, after two years of registration of FIR, Section 377 IPC has been added. It is submitted that petitioner may be extended benefit of anticipatory bail.

Learned APP, who is assisted by the counsel for the complainant, opposes the grant of anticipatory bail. It is contended that specific allegations have been levelled in the FIR about maltreatment by the petitioner and his family members after the marriage. The allegations are serious in nature, inasmuch as, petitioner has not cooperated in the investigation.

Learned counsel for the petitioner further submits that veracity of version, as contained in the FIR, has to be tested during the trial. Petitioner did not avoid participation in the investigation.

Keeping in mind totality of the facts and circumstances of the case, it is ordered that petitioner be released on bail, subject to his furnishing a personal bond in the sum of ₹10,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/Arresting Officer/SHO of the concerned police station.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

NOVEMBER 01, 2017

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