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

+ **BAIL APPLN. 2548/2017**

UJJWAL DATTA

..... Petitioner

Represented by: Ms. Ankita Patnaik and Mr.
S.A. Akhtar, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondent

Represented by: Ms. Meenakshi Chauhan, APP
for the State with SI Pradeep,
PS Tilak Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **12.12.2017**

Crl.M.A. No. 20453/2017 (Exemption)

Allowed, subject to all just exception.

BAIL APPLN. 2548/2017 and Crl.M.A. No. 20452/2017 (Stay)

Notice.

Learned APP for the State accepts notice.

By this petition, the petitioner seeks anticipatory bail in case FIR No. 393/2016 under Sections 498A/406/34 IPC registered at PS Tilak Nagar, Delhi. The petitioner and his wife Sangeeta Dutta had earlier applied for anticipatory bail before the learned Additional Sessions Judge at the time when no FIR had been registered. Disposing of the applications, the learned Additional Sessions Judge passed the following order on 2nd April, 2016:

“ The dispute arises out of matrimony between one Neha with Sumit solemnized on 04.06.2014. The applicants are Father in Law and Mother in Law of aforesaid Sumit. As per the report filed on record FIR has not been registered so far, though permission has been obtained from ACP, CAW Cell on 30.03.2016. The matter is under process since no FIR has been registered so far. The Application is premature and is accordingly dismissed. However, in case FIR has been registered, the State intends to arrest the accused, five day pre-arrest notice be given. The protection shall be available subject to joining the inquiry/investigation by the accused person as and when called upon to do so. The Applicant shall not leave the jurisdiction of the court without prior permission.”

Despite the fact that there was a specific direction to the petitioner not to leave the jurisdiction of the Court without prior permission, the petitioner has left the country.

Considering that the petitioner has flouted the order passed by the learned Additional Sessions Judge, this Court finds no ground to grant anticipatory bail to the petitioner.

Petition is dismissed.

MUKTA GUPTA, J.

DECEMBER 12, 2017
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