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

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Judgment delivered on: 18.04.2018

+ BAIL APPLN. 413/2018

SATISH KUMAR

..... Petitioner

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Sumit Sarna, Ms. Mamta Sarna
and Mr. Pradeep Kataria, Advs.

For the Respondent : Mr. Akshai Malik, Addl. PP for the
State with Inspr. Yogesh Tyagi

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

18.04.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks regular bail in FIR No. 0003 of 2018 under Sections 498-A/304B of the IPC, Police Station Pahar Ganj, New Delhi.

2. FIR has been registered on complaint by the sister of the deceased. As per the complainant, the accused-petitioner and the deceased got married in the year 2013 against the wishes of her family. It is contended that since the marriage was against the wishes

of the family, the deceased, very seldom, used to share instances with her parents. However, being the sister, she used to share some incidents with the complainant. It is alleged that she was informed that the petitioner used to trouble the deceased and even beat her. At one instance, the deceased was badly beaten and the deceased stayed with the complainant for a week. It is alleged that the deceased had informed her sister/complainant that she has even lodged a complaint with the police and the police had taken the petitioner to the police station and even her neighbours used to inform her that the petitioner used to create a ruckus and trouble her.

3. Learned counsel for the petitioner submits that there is no evidence to substantiate any of the allegations. He submits that there is nothing on record to show that petitioner was ever called to police station on a complaint lodged by the deceased and as per his instructions there is no evidence that any of the neighbours had stated that petitioner used to assault the deceased. He submits that the petitioner has been arrested solely on the basis of a legal presumption and not on the basis of any evidence.

4. Without commenting upon the merits of the case, perusal of the record shows that the petitioner has made out a case for grant of regular bail. The petitioner shall be released on bail, if not required in any other case, subject to petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction

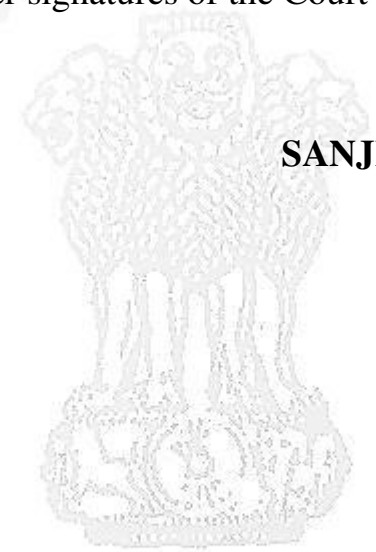
of the Trial Court.

5. The petitioner shall not do anything, which shall either prejudice the investigation or any of the prosecution witnesses. The petitioner shall not make any endeavour to contact the family of the deceased. The petitioner shall also not leave the country without the permission of the Trial Court.

6. Order Dasti under signatures of the Court Master.

APRIL 18, 2018
'rs'

SANJEEV SACHDEVA, J



नस्यमेव जयते