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

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Judgment delivered on: 11.05.2018

+ **BAIL APPLN. 922/2018**

MAHENDER SINGH

..... Petitioner

versus

THE STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr Pradeep Khatri, Mr Pranay Garg and Mr Karan Behl.

For the Respondent : Mr Arun Kumar Sharma, APP.
SI Sonu Ram, PS Aman Vihar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.05.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.830/2016 under Sections 304B/498A/34 IPC, Police Station Aman Vihar. It is submitted that the petitioner has incarcerated since 10.08.2016 and several witnesses are yet to be examined.

2. The allegations in the FIR are that the daughter of the complainant committed suicide. It is alleged that the petitioner along with the other co-accused harassed daughter of the complainant and

made demands of dowry, consequent to which she committed suicide.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated as none of the witnesses have stated that any demand of dowry was made directly to them. The allegation in the FIR made by the mother is that she was told of demand of dowry by her daughter. It is further submitted that this has not been corroborated and these are mere allegations.

4. Further, it is submitted that the allegation of the witnesses is that there was an alleged affair of the petitioner in his office, which is alleged to have been discovered by the deceased immediately prior to the day, she committed suicide. In the testimony of the mother recorded before the Trial Court, she has deposed that she was told by her daughter that she had visited the office of the petitioner and confronted him as well as one female friend, which led to an altercation and subsequently, on the very next day, she committed suicide.

5. Learned counsel for the petitioner submits that it has come out in the testimony of the witnesses that the money, which is alleged to have been transferred to the account of the petitioner by the father of the deceased was not towards dowry but because the daughter did not have any bank account. In one instance, it was for her treatment when she was admitted in Hospital.

6. Learned counsel for the petitioner further submits that the said averment is false, however, even if, the same were assumed to be correct, ingredients of Section 304B are not satisfied
7. Without commenting on the merits of the case, perusal of the record shows that the petitioner has made out a case for grant of bail.
8. In view of the above, the petitioner is granted bail, subject to petitioner furnishing a personal bond in the sum of Rs.50,000/- with one surety of like amount to the satisfaction of the Trial Court.
9. Further, it is directed that the petitioner shall not do anything, which may either prejudice the trial or the prosecution witnesses. The petitioner shall not leave the country without the permission of the Trial Court. The petitioner shall not contact the complainant or her family members.
10. The Petition is disposed of in the above terms.
11. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 11, 2018

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