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

+ BAIL APPLN. 992/2018 and Crl. M.A. 8202-8203/2018

SHALU

..... Petitioner

Through: Mr. Munipalle Sowri Dev, Advocate

versus

STATE (GOVT. OF NCT OF DELHI) ..... Respondent

Through: Mr. Ashish Dutta, APP for the State with  
Insp. Fateh Singh, SI Brahma Dutta, PS Sunlight  
Colony

Ms. Sandhani B. Saikia, Advocate for the  
complainant

**CORAM:**

**HON'BLE MR. JUSTICE R.K.GAUBA**

**ORDER**

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**26.07.2018**

On the complaint of Sanjay Kumar, First Information Report (FIR) no.71/2018 has been registered (in March, 2018) by police station Sun Light Colony for investigation into offences punishable under Section 3(i)(r)(s) of the Schedules Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended in 2015. A perusal of the FIR itself shows that the incident relates to 20.10.2017. There is no explanation as on date for the belated complaint. The documents filed by the petitioner, she being one of the persons named in the FIR reveal that her mother, also named as an accused, had earlier lodged complaints with the police about the mis-conduct of the

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first informant, the same being subject matter of DD nos.55B dated 17.06.2017, DD no.17A dated 23.08.2017 and further complaints dated 25.08.2017, 08.09.2017, 16.10.2017, 21.10.2017, etc. the last being subject matter of DD no.37A. It appears from the said previous complaints that the petitioner, members of her family and other neighbours have been aggrieved with the conduct of the first informant who runs a shop in the premises close to their residence, he earlier having been in the business of refilling of gas cylinders though he having since changed the nature of business to sale of certain plastic-ware. The photographs taken from a CCTV system and live camera used in September 2017 depict the improper use of the shop premises by the first informant, he having virtually displayed his ware outside on the public street to which the neighbours would take exception, this being also a cause for friction.

It is noted that in the FIR, amongst other, omnibus allegations have been made attributing certain utterances to the petitioner and members of her family.

In these facts and circumstances, a case for anticipatory bail is made out. Thus, it is directed that in the event of the petitioner being arrested, she shall be released on bail by the arresting officer on furnishing personal bonds in the sum of Rs.10,000/- with one surety in the like amount subject to the following further conditions:-

(i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;

- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to her release, she shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;
- (iv) She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence; and
- (v). This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against her by the court of cognizance.

The petition and the applications filed therewith stands disposed of in above terms.

*Dasti* under the signatures of the Court Master.

**R.K.GAUBA, J**

**JULY 26, 2018**

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