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

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Judgment delivered on: 04.07.2018

+ BAIL APPLN. 1352/2018

MUKESH MATHUR

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Ms. Anuja Saxena and Mr. Yogesh
Bhardwaj, Advs.

For the Respondent :

Ms. Neelam Sharma, Addl. PP for
the State with ASI Suresh, P.S. New
Usmanpur.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

04.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.108/2005 under Section 498A/406/34 IPC and under Sections 3 & 4 of the Dowry Prohibition Act. The subject FIR emanates out of matrimonial discord. The FIR was registered not only against the petitioner but also against his parents, sister and grandfather. The petitioner subsequently failed to appear before the Trial Court at the time of trial and was subsequently declared a proclaimed offender. The petitioner moved an application seeking to surrender before the Trial Court on 13th February, 2018.

However, since the Court was on leave, the matter got adjourned and subsequently the petitioner was arrested on 20th April, 2018 and has been in custody since then.

2. As per the status report filed by the prosecution, petitioner has returned 22 dowry articles. The grandfather and sister of the petitioner have since been discharged by the Trial Court and the mother of the petitioner had been acquitted after trial.

3. Without commenting on the merits of the case and keeping in view the totality of facts and circumstances and on perusal of the records of the case, I am of the view that petitioner has made out a case for grant of regular bail. Accordingly, petitioner is admitted to bail. On petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount, petitioner shall be released on bail if not required in any other case. Petitioner shall duly appear before the Trial Court on every date when the matter is listed by the Trial Court. Petitioner shall not do anything which may prejudice the trial or the prosecution witnesses.

4. Petition is accordingly allowed in the above terms.

5. Order *Dasti* under the signature of the Court Master.

SANJEEV SACHDEVA, J

JULY 4, 2018/‘rs’