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

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Judgment delivered on: 24.07.2018

+ BAIL APPLN.1439/2018

ATUL JINDAL

..... Petitioner

versus

STATE (NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioners : Mr. Pramod Pandey, Adv.

For the Respondent: Mr. Panna Lal Sharma, APP for the State with SI
Sumit, PS Sarai Rohilla
Mr. Anuj Arora, Adv. for the respondent.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

24.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.427/2017 IPC under Sections 498A/306/34 IPC at Police station Sarai Rohilla.

2. The FIR has been registered on the complaint of the sister of the deceased. It is contended that the petitioner, who was the husband of the deceased, had physically neglected her on account of which the deceased committed suicide. Alleged suicide note has been recovered by the investigating agency wherein the deceased is *inter alia* alleged

to have written that the petitioner did not give her anything physically or emotionally.

3. Reliance has been placed by the learned counsel for the complainant on the statement of the sisters recorded under section 161 Cr.P.C. wherein they have also stated that the deceased had complained to them that the petitioner had physically neglected the deceased.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that there is no allegation that the petitioner ever fought with the deceased or treated her with cruelty. The only allegation is that she has been physically neglected. He submits that the same does not amount to cruelty of a nature which could lead an ordinary prudent person to commit suicide. It is submitted that there is also no instigation alleged on the part of the petitioner.

5. Learned counsel for the petitioner further submits that there is no allegation against the petitioner of ever having demanded any dowry or money from the deceased or her family.

6. Petitioner had been in custody since 11.11.2017. Investigation has been complete and charge-sheet has already been filed.

7. Without commenting upon the merits of the case and on perusal of the record, I am of the view that the petitioner has made out a case for grant of regular bail. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with two sureties of the like amount to the satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any other case.

8. 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 prior permission of the Trial Court.

9. Petition is disposed of in the above terms.

10. Order Dasti under the signatures of the Court Master.

SANJEEV SACHDEVA, J

JULY 24, 2018

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