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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1410/2018**

NAVEEN YADAV Petitioner
Through: Mr. Sanjeev Manchanda, Advocate.

Versus
STATE Respondent
Through: Mr. Ravi Nayak, APP for State with
SI Pooja, P.S. Ranhola.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **10.07.2018**

The case FIR No. 358/2018 has been registered by P.S. Ranhola, New Delhi on 02.05.2018 on the complaint of Neeru Yadav making allegations which indicate offences punishable under Sections 376/354/498A/406/506/34 IPC having been committed against her over a prolonged period, *inter alia*, by the petitioner and members of his family including the father. As per the allegations in the FIR, the first informant was married to Praveen Yadav on 27.11.2009. She lived in the matrimonial home where the family would include the petitioner, younger brother of the husband of the first informant, he also statedly having got married in June, 2017, living with his mother with a separate mess though under the same roof. The husband of the first informant died a suicidal death on 29.02.2016, the first informant, concededly having continued to live in the matrimonial home till January, 2018. The allegations of she having been subjected to cruelty and forcible intercourse even during the lifetime of

husband relate to the period prior to February, 2016. There is no explanation worth the name as on date as to why the complainant would not protest or lodge any report with any authority earlier. Some of the allegations made by her – for illustration giving an Alto car by her father in dowry – have not been substantiated during investigation.

Keeping in view these facts and circumstances where the case so far rests on the oral word of the complainant, a case for release of the petitioner on anticipatory bail is made out.

Thus, it is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.25,000/- 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 his release, he 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) He 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;

(v). He shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if he holds one, with the said court; and

(vi) 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 him by the court of cognizance.

Dasti.

R.K.GAUBA, J

JULY 10, 2018

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