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

+ **BAIL APPLN. 1581/2018**

JITENDER KUMAR

..... Petitioner

Through: Mr. Khowaja Siddiqui, Advocate with
Mr. Arup Sinha, ADv. & Mr. Raghav
Kakar, Advocate.

versus

STATE GOVT NCT OF DELHI

..... Respondent

Through: Mr. Ravi Nayak, APP for the State
with SI Amrender, PS Fatehpur Beri.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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12.07.2018

Crl.M.A.12416/2018 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 1581/2018

Varsha wife of Vivek, the petitioner herein being the father of said Vivek, had been married on 08.02.2015. She gave birth to a child about two years ago. She died seemingly on account of suicidal attempt, on 04.05.2018 at the time when she was living in the matrimonial home. Though the allegations have been made by statements before the Sub-Divisional Magistrate and the investigating officer about death being preceded by demand for dowry and harassment of the deceased Varsha on that account, specific role having been attributed in this regard to the husband and generally references being made to “*in laws*”.

The learned Additional Public Prosecutor for the State fairly concedes that there is no specific role as yet in any of the statements recorded attributing the petitioner to be a party to such harassment.

Having regard to the facts and circumstances a case for release of the applicant/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 he furnishing personal bonds 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.

The bail petition is disposed of in these terms.

Dasti under the signature of Court Master.

JULY 12, 2018

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R.K.GAUBA, J.