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

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Judgment delivered on: 25.09.2018

+ BAIL APPLN. 1615/2018

SANDEEP

..... Petitioner

versus

GOVT OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr. Nitin Tittal, Advocate.

For the Respondent:

Ms. Neelam Sharma, APP for the
State with the Investigating Officer.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

25.09.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks Regular Bail in FIR No.1579/2015 under Sections 304B/306/498A/34 IPC, Police Station Uttam Nagar.
2. The allegations in the FIR are the petitioner, who is the husband, harassed the deceased on account of demand of dowry. Petitioner has been in custody since 13.12.2015.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that there is a substantial improvement, from the version recorded with the police in the FIR, in the testimony before the Court. He submits that the prosecution case also hinges on a suicide note allegedly left behind by the deceased. He submits that in the alleged suicide note there is no allegation or averment of

harassment or demand of dowry by the petitioner. On the contrary, the allegation is of relationship of the petitioner with another lady.

4. He further submits that in the statement given by the father and mother of the deceased, they have also alleged that the petitioner was allegedly having a relationship with another woman, which was one of the reasons that there used to be quarrels between the petitioner and his wife. He submits that there is no independent evidence to substantiate that there was ever any demand of dowry or harassment of the deceased on account of dowry. He submits that the version of the deceased contained in the alleged suicide note does not support the case of the prosecution under Section 304-B IPC.

5. Without commenting on the merits of the case and on perusal of the record, I am satisfied 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 one surety of the like amount to the satisfaction of the trial court, petitioner shall be released on bail if not required in any other case. Petitioner shall not do anything that may prejudice either the trial or the prosecution witnesses. Petitioner shall not leave the country without the permission of the Trial Court. Petitioner shall not contact the complainant or his family members.

6. The Petition is disposed of in the above terms.

7. Order *Dasti* under signatures of the Court Master

SEPTEMBER 25, 2018/st

SANJEEV SACHDEVA, J