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

+ BAIL APPLN. 812/2017

NANDKISHORE @ NANDU

..... Petitioner

Represented by: Mr.V.K.Shukla, Mr.Nagender Singh
and Ms.Nupur Shukla, Advocates

versus

STATE NCT OF DELHI

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for the
State with Insp.Rajpal Singh, PS
Nihal Vihar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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19.07.2018

1. By this petition, the petitioner seeks bail in case FIR No.626/2015 under Sections 304B/498A/34 IPC registered at PS Nihal Vihar. The petitioner is the husband of the deceased namely Rajni.
2. The abovenoted FIR was registered on the complaint of her father who stated that at the time of marriage or even after the marriage, the petitioner and his family members raised no demand of dowry. However at the time of marriage, Nand Kishore was doing private job but after marriage he left the job. After marriage, his daughter was doing the work of ironing the clothes in Jwala Heri Market with the complainant and earned her expenses. It is the case of the complainant that his daughter was living peacefully and did not make any kind of complaint but from January, 2015

petitioner started beating her for demanding money for drinking liquor. It is alleged that on 15th July, 2015, his daughter came to him stating that petitioner was demanding money for drinking liquor but she did not give him money, on which, the petitioner gave a fist blow on her stomach. On 16th July, 2015 he had to take leave from his work so his daughter also did not come and on 17th July, 2015 he was informed by the petitioner that his daughter fell down from the roof and died.

3. Cause of death of Rajni has been opined to be asphyxia due to hanging. Despite the fact that the petitioner was in judicial custody since 17th July, 2015 the trial was going on at a snail's pace, when this Court passed directions to expedite the trial. However now all material witnesses have been examined and the next date before the learned Trial Court is 21st July, 2018 for recording of remaining prosecution witnesses who are all police officers.

4. Considering the fact that the petitioner has been in custody for more than 5 years and all material witnesses have been examined, this Court deems it fit to grant bail to the petitioner. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount subject to the satisfaction of the learned Trial Court.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

JULY 19, 2018

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