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

+ **BAIL APPLN. 746/2017**

SURESH JAIN

..... Petitioner

Represented by: Mr.Gaurav Chopra and Mr.Arindam Ghose, Advocates

versus

STATE OF NCT OF DELHI

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for the State with SI Suman, PS Prashant Vihar

+ **BAIL APPLN. 747/2017**

SMT NEELU JAIN

..... Petitioner

Represented by: Mr.Gaurav Chopra and Mr.Arindam Ghose, Advocates

versus

STATE OF NCT OF DELHI

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for the State with SI Suman, PS Prashant Vihar

+ **BAIL APPLN. 749/2017**

KUNAL JAIN

..... Petitioner

Represented by: Mr.Gaurav Chopra and Mr.Arindam Ghose, Advocates

versus

BAIL APPLN. 746/2017, 747/2017 & 749/2017

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been compared and the digital data is as per
the physical file and no page is missing.

STATE OF NCT OF DELHI

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for the
State with SI Suman, PS Prashant
Vihar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

30.08.2018

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Crl.M.A.No.15044/2017 in Bail App.No.746/2017

Crl.M.A.No.15168/2017 in Bail App.No.747/2017

Crl.M.A.No.15165/2017 in Bail App.No.749/2017

1. Petitioners are the father-in-law, mother-in-law and husband respectively of the complainant in case FIR No.190/2017 under Sections 498A/406/34 IPC and Section of the Dowry Prohibition Act. The allegations of the complainant against the petitioners are of continuous harassment for demand of dowry as well as by the petitioners boasting of their high standards and affluent living style.

2. Marriage between the parties was performed on 15th October, 2010 and thereafter the daughter was born on 15th July, 2011. The complaint for the first time was lodged by the complainant as noted above in January, 2017 i.e. almost more than 6 years of the marriage. Though the charge sheet for offences punishable under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act has been filed against petitioners Neelu Jain and Kunal Jain as stated by the Investigating Officer however no approval of arrest of the two petitioners has been taken from the Competent Authority till date.

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3. The allegations against Suresh Jain, the father-in-law besides the one against Neelu Jain and Kunal Jain are that one day when the complainant was inside her room and looking toward her injuries, Suresh Jain entered the room, misbehaved with her and inserted his finger in her vagina.

4. Learned APP for the State submits that after investigation, charge sheet has been filed.

5. Considering the nature of allegations and also the fact that the complainant left the matrimonial home on 28th October, 2016, the complaint was filed with the said allegations only in January, 2017, this Court deems it fit to grant anticipatory bail to the petitioners. It is, therefore, directed that in the event of arrest, the petitioners be released on bail on their furnishing a personal bond in the sum of ₹25,000/- each with one surety bond each to the satisfaction of the Arresting Officer/SHO concerned/concerned Court further subject to the condition that the petitioners will not leave the country without the prior permission of the Court concerned and in case of change of residential address, the same will be intimated to the Court concerned by way of an affidavit.

6. Petitions are disposed of.

Crl.M.A.Nos.15042-43/2017 in Bail App.No.746/2017

Crl.M.A.Nos.15166-67/2017 in Bail App.No.747/2017

Crl.M.A.Nos.15163-64/2017 in Bail App.No.749/2017

Dismissed as infructuous.


MUKTA GUPTA, J.

AUGUST 30, 2018/*mamta*

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