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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1948/2018 & CRL.M.A. 30324/2018**

MS ISRINA

..... Petitioner

Through: Ms. Ifat Sultana with Mr. Nadeem
Hussain, Advocates.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr. Amit Ahlawat, APP for State.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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20.08.2018

Though suspicion has been expressed by Smt. Isaliman, the mother of the deceased that the death of Yasmeen on 09.04.2018 was homicidal, she also suspecting the involvement of Shahid, the husband of the deceased, in the said incident, on her statement recorded before the Sub-Divisional Magistrate (SDM), the FIR No.163/2018 has been registered at P.S. Gokulpuri for investigation into offences punishable under Sections 498A/304B/34 IPC.

The deceased was married to Shahid @ Sarukh on 28.04.2017. There is *prima facie* material available as on date that the death of Yasmeen was unnatural, though the exact cause of death is yet to be determined as the autopsy doctor is awaiting the viscera report to have a definitive opinion. In the background facts, reference has been made to a complaint that was lodged by Yasmeen on 31.10.2017 to the police, *inter alia*, alleging she having been subjected to ill-treatment and cruelty by her in-laws that

include, specifically, the present petitioner, she being the sister of Shahid. Though it does appear that Yasmeen and her husband had settled the said dispute by entering into a settlement through mediation on 21.11.2017, subsequent events would show that the dispute had continued. In these circumstances, the allegations made by the deceased against her in-laws including the petitioner herein cannot be assumed to have effaced.

In the facts and circumstances, it cannot be said that the allegations against the petitioner are wholly unfounded. No case for anticipatory bail is made out.

The petition and the accompanying application are dismissed.

R.K.GAUBA, J

AUGUST 20, 2018
srb