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

+ BAIL APPLN. 1825/2016

SANJAY GUPTA

..... Petitioner

Through: Mr. Shashi Shanker and Ms. Pooja,
Advocates

versus

STATE, GOVT OF NCT DELHI

..... Respondent

Through: Mr. Ravi Nayak, APP with ASI Hawa
Singh, PS Nihal Vihar

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **05.07.2018**

The applicant is the husband of the first informant of case FIR no.536/2015 registered by police station Nihal Vihar alleging offences punishable under Sections 498A, 406, 34 IPC. The parties were married to each other on 08.12.2013 and the first informant left her matrimonial home on 22.11.2014 statedly on account of she being subjected to cruelty and assaults.

The investigation is almost complete and the report under Section 173 Cr. PC is expected to be filed in near future by the investigating officer. The applicant was granted interim protection against arrest by order dated 07.09.2016 which has continued till date. He has been cooperating with the investigation so far. The parties were referred for effort for

amicable settlement through mediation but with no fruitful result. Though the grievance of the first informant that her jewellery items have not been returned, remains unaddressed in as much as the investigating officer has not been able to effect any recovery, the issues arising therefrom will have to be considered and necessary view taken thereupon at appropriate stage by the concerned court.

Thus, the application is allowed. It is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.20,000/- 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; and
- (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 shall deposit his passport, if he holds one, with the said court.

(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.

Dasti.

JULY 05, 2018

Yg

R.K.GAUBA, J.