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

+ **BAIL APPLN. 2034/2018**

RAKHI DEVI

..... Petitioner

Through Mr. Krishna K. Singh, Advocate.

Versus

STATE

..... Respondent

Through Mr. Rajat Katyal, APP for the State
Mr. Sunil Gupta, Advocate for the
respondent No.2/complainant with
respondent No. 2 in person.
SI Amit Kumar, P.S. Amar Colony

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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31.10.2018

Crl. M.A. No.31036/2018 (for exemption)

Allowed, subject to all just exceptions.

The application stands disposed-off.

BAIL APPLN. 2034/2018

The petitioner seeks anticipatory bail in case FIR No. 144/2018 dated 03.04.2018 registered under sections 406/420/34 IPC at Police Station Amar Colony, New Delhi.

The learned counsel for the petitioner submits that the *lis* has been amicably settled in the Delhi High Court Mediation and Conciliation Centre on 29.10.2018. It is now agreed that the complainant is to pay an amount of Rs. 8 lacs to the petitioner in lieu of her share in the land situated in Bihar. This settlement is limited to the demand of the amount qua the petitioner's

share in the said land. The said amount is to be paid till April, 2019.

The learned counsel for the petitioner seeks and is granted two weeks to file the amended Memo of Parties. Since respondent No.2 does not have a counsel, Mr. Sunil Gupta, Advocate present in the Court, is appointed as his counsel for the day. The latter states upon instructions that in view of the aforesaid settlement, respondent No.2 will be primarily interested in the recovery of the monies.

In the circumstances, a case is made out by the petitioner for grant of interim protection. Consequently, it is directed that in the event of arrest of the petitioner in FIR No. 144/2018 registered under Sections 406/420/34 IPC at Police Station Amar Colony, New Delhi, she be released on bail on her furnishing a personal bond in the sum of Rs.50,000/- with a surety in the like amount to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions:

- (i) the petitioner shall continue to participate in the investigations as and when she is so intimated by the Investigating Officer;
- (ii) her mobile phone number shall be kept operational at all times, so that the police could contact her;
- (iii) she shall not make any effort to evade the process of law; and
- (iv) in case of change of the phone numbers or address, the petitioner shall inform the police forthwith.

Observation made in this order shall have no bearing on the merits of the case.

The petition stands disposed-off in terms of the above.

In default of compliance of the terms and conditions of the aforementioned settlement, it will be open to the respondent No.2 to revive

the petition for appropriate directions.

The learned counsel for the petitioner submits that the petitioner will file an undertaking to the effect that she will abide by the terms and conditions of the aforesaid settlement. Let it be so done in the next two weeks.

A copy of this order be given *dasti* to the learned counsel appearing on behalf of the parties under the signature of the Court Master.

NAJMI WAZIRI, J.

OCTOBER 31, 2018

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