

\$~22

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

+ BAIL APPLN. 2117/2018 and Crl. M.A. 31841/2018

ROHIT SINGH

..... Petitioner

Through: Mr. Vikas Nagwan, Advocate

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Akshai Malik, APP for State with SI
Kishore Kumar

Mr. Ajay M. Lal, Advocate for the complainant
with complainant in person

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

%

12.09.2018

The parties i.e. the complainant (wife) and the petitioner (he being the husband) had entered into an amicable settlement through mediation on 26.07.2018. In terms of the said settlement before proceeding to approach the Family Court for dissolution of marriage by mutual consent and filing of a separate petition for quashing of the FIR no.175/2017 of police station Patel Nagar, the complainant had agreed not to oppose the prayer for release on anticipatory bail subject to the payment of Rs.3 Lakh at that stage, the balance being payable later at different stages. Though interim protection was granted by the court of Sessions while dealing with the bail application no.2350/2018, since payment of Rs.3 Lakh required to be made at the stage of bail was not tendered, the application was dismissed by order

BAIL APPLN. 2117/2018

page 1 of 3

dated 29.08.2018.

The petitioner has today tendered to the complainant, who is present in person, with her counsel, two demand drafts, they bearing no.507897 dated 28.08.2018 drawn on ICICI Bank and no.778797 dated 05.09.2018 drawn on Union Bank, each of Rs.1.5 Lakh in favour of the complainant, which are accepted by the complainant against acknowledgement formally executed and given to the petitioner. The complainant, through counsel, submits no objection to the prayer in the petition being granted. The petitioner undertakes to scrupulously abide by rest of the terms of the settlement.

For the foregoing reasons, the Additional Public Prosecutor leave the matter to the discretion to the court.

The prayer is granted. Thus, it is directed that in the event of the petitioner being arrested in aforementioned FIR, he shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.25,000/- 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;

(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 and shall deposit his passport, if he holds one, with the said court.

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.

The petition and the application filed therewith stand disposed of in above terms.

Dasti under the signatures of the Court Master.

R.K.GAUBA, J

SEPTEMBER 12, 2018

yg
BAIL APPLN. 2117/2018

page 3 of 3