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

+ **BAIL APPLN. 2232/2018**

RAVINDER SINGH KOHLI

..... Petitioner

Through: Mr. R.N. Mittal, Sr. Advocate with
Mr. Gurdeep Singh Bhatia & Mr. R.P.
Singh, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Amit Ahlawat, APP for State
with SI Amit Kumar, P.S. Subhash
Place.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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24.09.2018

Crl.M.A. 32778/2018 (exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 2232/2018 & CRL.M.B. 1517/2018

Laxmi, daughter of first informant Phool Chand, a native of district Mahoba (Uttar Pradesh), is stated to have been employed as a maid-servant in the house of the petitioner in Model Town, Delhi, some two months prior to the date of incident of 28.07.2018 wherein she is stated to have committed suicide by hanging herself by the neck. As per the allegations in the FIR, the deceased was 19 years' old and she had been got employed as maid-servant upon reference by husband of the sister of the first informant, she having earlier worked in the same household in similar capacity for about

one year. It is stated in the FIR itself that the father had visited the girl in the house of employer on 11.07.2018 and at that stage she had indicated that she was happy with the employment, her wages in the sum of Rs.7000/- having been paid. It is alleged that some 8 to 10 days after the visit, the girl had informed her father on phone that she was being harassed, deprived of food and the employer (the petitioner) would tease her and also become abusive or physically assault her under the influence of liquor. These allegations were made in the statement recorded on 29th July, 2018 after the incident of suicide.

There is some confusion as to the age of the girl at the time of her death. While in the FIR, the complainant himself described her as 19 years old, same being the description in the post mortem examination report, the investigating agency is relying more on school record indicating her age to be slightly less than 14 years.

Be that as it may, the petitioner was arrested on 16.08.2018, during the course of investigation into FIR No.290/2018, police station Model Town, involving offences punishable under Sections 370/305 IPC, 8 POCSO Act, 75/79 Juvenile Justice Act and 3-4 of Child Labour Act. He is in judicial custody since then. The investigation is likely to take some time to conclude. The petitioner is rooted in the society and there is no possibility of he running away from the process of law. No useful purpose would be served by keeping him in custody pending investigation. In these circumstances, the application is allowed.

In the facts and circumstances set out above, case for release on bail is made out. Granted accordingly subject to the following conditions:-

- (i). The petitioner shall furnish a personal bond in the sum of Rs. 25,000/- with one surety in like amount to the satisfaction of the trial court.
- (ii). 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 trial court.
- (iii). He shall join the investigation as and when called upon by the investigating officer to do so.
- (iv). He shall scrupulously appear at each and every stage of the proceedings before the trial court so as not to cause any obstruction or delay to its progress.
- (v). He shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.
- (vi). 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

The bail application is disposed of in these terms.

A copy of this order shall be transmitted to the jail authorities and to the trial court.

Dasti under the signatures of Court Master.

R.K.GAUBA, J.

SEPTEMBER 24, 2018/srb