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

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Judgment delivered on: 19.11.2018

+ BAIL APPLN. 2399/2018

ANKIT RATHORE

..... Petitioner

versus

THE STATE OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Sudhir Nandrajog, Sr.Adv. with Mr.Raj Kumar,
Advocate.

For the Respondent : Mr. Hirein Sharma, APP for the State.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

19.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.30/2018 under Sections 498A/304B/34 IPC, Police Station Gandhi Nagar. The petitioner is the husband of the deceased.

2. The allegations against the petitioner in the FIR are that the petitioner and his family used to harass the deceased for not bringing enough dowry and for giving birth to two girls.

3. Learned senior counsel for the petitioner submits that petitioner

has been falsely implicated. He submits that the allegations are vague and there is no instance of demand of dowry mentioned in either of the statements given by the family members. Learned senior counsel further submits that on the contrary petitioner had advanced a loan of approximately Rs.7 lakhs for the marriage of the sister of his wife which was subsequently repaid by his father-in-law. He submits that there is no instance mentioned at all of any dowry ever having been demanded or paid to the petitioner or his family.

4. Learned senior counsel further contends that the allegations initially were that petitioner was having an affair and wanted to kill his wife which was also not substantiated from the record and charge sheet has been filed only under Section 498A and 304B IPC as investigation did not reveal any such offence having been committed. He submits that there is improvement in the version of the prosecution.

5. The petitioner has been in custody since 29.01.2018.

6. Without commenting on the merits of the case and on perusal of the record as well as the statement of the witnesses recorded under Section 161 Cr.P.C, who have not yet deposed before the Trial Court, I am satisfied that petitioner has made out a case for grant of regular bail.

7. Accordingly, on petitioner furnishing a bail bond in the sum of

Rs.50,000/- with one surety of the like amount subject to the satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any other case. Petitioner shall not do anything which may prejudice the trial or the prosecution witnesses. Petitioner shall not leave the country without the permission of the Trial Court.

8. Petition is allowed in the above terms.

9. Order *Dasti* under signatures of the Court Master.

NOVEMBER 19, 2018

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SANJEEV SACHDEVA, J



भारतमेव जयते