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

+ **BAIL APPLN. 1662/2017**

DEEPAK BHATIA

..... Petitioner

Through : Counsel (appearance not given)

versus

THE STATE NCT OF DELHI

..... Respondent

Through : Mr.Tarang Srivastava, APP.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **30.01.2018**

Crl.M.A.No.1772/2018 (Exemption)

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

Crl.M.A.No.1771/2018 (for modification of the order dated 10.01.2018)

1. The petitioner seeks modification of the order dated 10.01.2018. It is averred that no instructions were given to the previous counsel to pay ₹5,00,000/- to the complainant.
2. On perusal of the record, it reveals that anticipatory bail was granted to the petitioner considering the offer by his counsel to give ₹5,00,000/-, to the complainant without prejudice and subject to future adjustment (if any). On that day, it was informed by the

complainant that complete dowry articles were not returned to her. Considering the deficiency of the dowry articles to be given to the complainant and pursuant to the orders dated 23.11.2017, the petitioner's counsel was asked if the petitioner was agreeable to pay certain amount towards her deficient dowry articles without prejudice. The complainant had claimed ₹10,00,000/- being deficiency in the dowry articles.

3. After seeking pass over, the petitioner's counsel took instructions and offered to pay ₹5,00,000/- which was accepted by the complainant. Considering the facts and circumstances of the case and to protect the interests of the complainant, the petitioner was directed to pay ₹5,00,000/- towards dowry articles without prejudice and subject to future adjustments, if any, as offered by his counsel.

4. Now due to change of the previous counsel, the present application has been filed to decline payment of ₹5,00,000/-. This submission can't be accepted. The said order was passed with consent and needs no modification.

5. At the request of the learned counsel for the petitioner, time for compliance of the order is, however, extended for two more weeks.

6. The application stands disposed of in the above terms.

7. Order *dasti*.

S.P.GARG, J.

JANUARY 30, 2018/ns