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

+ **BAIL APPLN. 2699/2018**

REETA

..... Petitioner

Represented by: Mr. Rajat Wadhwa, Mr. Karan Preet
Singh, Mr. Himanshu Nailal, Mr.
Rahul Verma, Advs.

versus

THE STATE (NCT OF GOVT OF DELHI)

..... Respondent

Represented by: Ms. Rajni Gupta, APP with Insp.
Dhananjay Gupta, PS Mahendra Park.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.12.2018

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1. By this petition the petitioner seeks bail in case FIR No. 212/2018 under Sections 498A/304B/34 IPC registered at PS Mahendra Park.
2. The above-noted FIR was registered on the complaint of Subhawata Devi, mother of the deceased Ramwati, who stated that she had married her daughter Ramwati with Anil Kumar on 14th February, 2016. It is further stated that the house in which her son-in-law was staying had three floors; on the ground floor the parents-in-law of her daughter were staying, on the first floor the brother-in-law and sister-in-law i.e. the present petitioner and her husband were staying, whereas her daughter and son-in-law were staying on the second floor. It is alleged that the husband, mother-in-law, sister-in-law/ Nanad (Kusum), brother-in-law Raj Kumar and sister-in-law Reeta, the present petitioner used to beat her. Besides her husband also used to beat

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her every day. The complainant and her family members used to tell her not to go to her in-laws but under the influence of her husband their daughter used to go back to the matrimonial home. 5-6 days prior to the incident her grand-daughter had taken a nail/spike in her mouth and being happy because the nail had come out they celebrated at the house of their daughter. However, after they had their meals the brother-in-law and sister-in-law Kusum abused them on the road. Her son-in-law stated that if he was bad, they should take their daughter back to their home. Her son Ajay had got Ramwati to her parental home on 22nd May, 2018; however again on 23rd May, 2018 their daughter went back to the matrimonial home on some pretext. Her daughter used to state that her husband wanted to stay in a separate home because her mother-in-law has stated that she could not keep her daughter in the matrimonial home. Her son-in-law had stated that his mother did not want to keep the complainant's daughter in the matrimonial home. On 24th May, 2018 the complainant who is working in Delhi University had gone to work. Later she came to know that her daughter had hanged herself.

3. A suicide note has been left by the deceased wherein she stated that she was in her full consciousness and was fed up of her life. Her husband and in-laws were insulting and troubling her, due to which she is very upset. She has no desire to live and has no ray of hope for life. If anything happens to her, her husband and in-laws would be responsible. Brother-in-law and sister-in-law i.e. the present petitioner threatened her every day due to which she is upset. The brother-in-law stated that she could do whatever she wanted.

4. From the suicide note the role assigned to the petitioner was that she and her husband used to threaten the complainant, due to which she was upset. The threat as qualified against the husband of the petitioner being that the deceased could do whatever she wanted. Even in the FIR as noted above, the allegations against the petitioner are of assaulting. Further the allegation of demand of dowry if any are against the husband wherein it is alleged that Anil had a grievance that the complainant had not given anything in dowry to her daughter.

5. The petitioner is the sister-in-law (Jethani) of the deceased living on a separate floor and has a minor daughter of seven years to look after. She has been in custody for nearly seven months and is no more required for investigation.

6. Considering the facts noted above, this Court deems it fit to grant bail to the petitioner. It is therefore directed that the petitioner be released on bail on her furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount to the satisfaction of the learned Trial Court and in case of change of residential address the same will be intimated to the learned Trial Court by way of an affidavit.

7. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 18, 2018
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