

\$~27

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

+ CRL.M.C. 3867/2017

TANUJA CHAUHAN

..... Petitioner

Through

Mr. Habibur Rahman, Adv. with
petitioner in person

versus

STATE (GOVT OF NCT DELHI) & ANR

..... Respondents

Through

Mr. M.S. Oberoi, APP with SI Ramesh
Kumar, P.S. Sultan Puri
Ravin Rao, Adv for R2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

17.04.2018

Petitioner (complainant) has prayed for cancellation of bail granted to the respondent no. 2 (accused). As per the FIR, petitioner was a divorcee. She met respondent no. 2 in the month of February, 2014 through the matrimonial website bharatmatrimonial.com. Respondent no. 2 had also shown himself to be a divorcee in his profile on the matrimonial website. Physical relations developed between them. Thereafter, respondent no. 2 married her on 28th March, 2014 at Vaishno Devi Mandir. He told the petitioner to keep the marriage secret. On 5th May, 2014 he went Muradabad on the pretext that he was going to meet his first wife. Subsequently, he told that his first wife was demanding ₹2,50,000/-.

Respondent no. 2 told the petitioner that he would come back on 7th May, 2014 and would marry her. Subsequently, respondent no. 2 refused to marry her.

Respondent no. 2 was granted bail vide order dated 2nd March, 2015 passed in Bail Application no. 306/2015 after the petitioner gave her 'no objection' for grant of bail. In the order dated 2nd March, 2015 it is mentioned that petitioner was earlier granted interim bail by the trial court on 6th January, 2015 till 14th January, 2015, which was extended upto 7th February, 2015. Respondent no. 2 had not misused the concession of bail.

It is contended that after the grant of bail, respondent no. 2 married petitioner on 9th May, 2015. However, respondent no. 2 again deserted the petitioner in December, 2015. Petitioner has now filed this application for cancellation of bail on the ground that respondent no. 2 has deserted her. Merely because respondent no. 2 has left the company of petitioner after about seven months of marriage by itself is not a ground to cancel the bail of respondent no. 2.

Application is dismissed.

A.K. PATHAK, J.

APRIL 17, 2018
r.bararia