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

+ **BAIL APPLN. 2386/2017**

DEEPAK

..... Petitioner

Represented by: Mr. Mahesh Verma, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Represented by: Ms. Kusum Dhalla, APP for
State.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.03.2018

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1. By this petition the petitioner seeks regular bail in case FIR No. 498A/304B registered at PS Seema Puri, Delhi on the complaint of Rakesh, father of the deceased Priyanka.

2. Investigation in the above-noted FIR started on receipt of PCR call vide DD No. 14B received at PS Seema Puri, Delhi informing that wife of the petitioner had committed suicide by hanging herself with chunni on the first floor of the house.

3. Statement of the father of the deceased namely Rakesh was recorded by the SDM who stated that he had married his daughter Priyanka on 17th February, 2013 and had given Hero Honda motorcycle in dowry along with all other household articles of daily use, besides gold and silver jewellery. For the next two years his daughter remained happy but then his son-in-law, the petitioner herein started consuming liquor and gambling. He even sold

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the motorcycle given to him and used to assault his wife for not fulfilling his need for money. It is further stated that on 17th April, 2017 the grandfather-in-law of his daughter passed away, thus all the family members along with his daughter had gone to village Kedi, PS Bawadi and returned back on 19th April, 2017. On the night of 19th/20th April, 2017 again a quarrel took place which fact was told by the deceased to her sister-in-law and the reason for quarrel was that the petitioner was not permitting the deceased to attend the marriage ceremony of her cousin at her parents' house but was insisting that the deceased should attend the tehnavi ceremony of her grandfather-in-law which was to take place on the same day. It is further stated that on this count the petitioner also assaulted the deceased.

4. Considering that in the FIR there is no allegation of harassment for demand of dowry but misbehaviour and assault by the petitioner after being drunk and on the day of incident the quarrel took place on the dispute as to whether the deceased should attend her cousin's wedding at her parents' home or on the same day attend the tehnavi ceremony of her grandfather-in-law, resulting in the deceased committing suicide, this Court deems it fit to grant regular bail to the petitioner, who has been in custody now for nearly 11 months. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that the petitioner will not leave the country without prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

5. Petition is disposed of.
6. Order dasti.

MARCH 13, 2018
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MUKTA GUPTA, J.