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

+ **BAIL APPLN. 3004/2018**

RAJNI @ MONI

..... Petitioner

Through: Mr. Kundan Kumar, Advocate with
Mr. Yatinder Nath, Atul Arora, &
Mr. Kadam Kharab, Advocates

versus

STATE

..... Respondent

Through: Mr. Kewal Singh Ahuja, APP for the
State with SI Uday Singh, PS Bawana

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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19.12.2018

CrI.M.A.50094/2018 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

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Status report has been filed.

The petitioner is married sister of Rajesh, who had got married to Babita on 18.06.2018 after love affair, the marriage being inter caste. Babita is stated to have committed suicide in the matrimonial home on 18.10.2018. On the statement of Shambir, father of Babita, FIR No.421/2018 has been registered by Police Station Bawana involving offences punishable under sections 498-A/304-B/34 IPC. Prior to her death, in fact, almost immediately after her marriage Babita had lodged a report on 26.06.2018 with ACP Crime Against Women Cell (CAW), about she being subjected to

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harassment. The prime thrust of the allegations in the said complaint was that the matrimonial family was not happy with the marriage since she was, in their eyes, from different caste, they subjecting her to casteist remarks and physically assaults with abuses coupled with demands for money. The role attributed to the petitioner, sister-in-law (*nanad*), in the said complaint was that she would provoke the husband (Rajesh) on account of which he, in turn, would beat up Babita. In the FIR, the father of the deceased has levelled allegations to the effect that the petitioner would also physically assault Babita. The petitioner has been married since 2009 and has been living in her matrimonial home quite a distance away from the matrimonial home of Babita. There are no direct or specific allegations of she being party to any illicit demands of money.

In these circumstances, a case for release of the applicant on anticipatory bail is made out. Thus, it is directed that in the event of the petitioner being arrested, she shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to her release, she shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;

(iv) She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(v) She shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit her passport, if she holds one, with the said court.

This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against her by the court of cognizance.

The petition stands disposed of in above terms.

Dasti under the signature of Court Master.

R.K.GAUBA, J.

DECEMBER 19, 2018

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