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

+ CRL.M.C. 4874/2015

ROHTASH SAINI

..... Petitioner

Through: Mr. Sumit Choudhary and Ms.
Aakanksha Bansal, Advocates

versus

STATE & ANR

..... Respondents

Through: Ms. Meenakshi Dahiya, APP for the
State with SI Randeep PS Prashant Vihar

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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08.08.2018

The second respondent is the wife of the deceased Naresh Saini whose dead body was discovered on 05.05.2015, it upon investigation being found to be a case of homicidal death. This became the subject matter of investigation into the FIR no.603/2015 of police station Prashant Vihar. The second respondent (accused) was arrested and sent to judicial custody on 20.05.2015. Upon consideration of her application, the Additional Sessions Judge by order dated 17.09.2015, noted that there was no eye-witness account, reliance being on the fact that the husband and wife would have frequent quarrels, this in addition to disclosure statement of the second respondent, the admissibility whereof is questioned.

Against the above background, the Additional Sessions Judge in exercise of his jurisdiction directed the release of the second respondent on bail pending further proceedings in the case.

The petitioner, being the brother of the deceased, by the petition at hand under Section 439(2) Cr. PC sought cancellation of the said bail order. The petition is pressed on the ground that there is apprehension that the second respondent would abscond. The apprehension is not based on any concrete material. No good ground exist for cancellation of the bail order.

Dismissed.

AUGUST 08, 2018

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R.K.GAUBA, J.

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