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

+ **BAIL APPLN. 2702/2019 & CrI.M (Bail) No.1897/2019**

MOHIT SHARMA

..... Petitioner

Through Mr. Sidhant Dhingra and Ms. Nidhi,
Advs.

versus

STATE

..... Respondent

Through Mr.Amit Gupta, APP for State.
SI Nishant P. S. Welcome.
Ms. Somya Singh, Adv. for
Complainant.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.12.2019

BAIL APPLN. NO.2702/2019

1. The petitioner has filed the present application, *inter alia*, praying that he be granted anticipatory bail in connection with FIR No.413/2019, under Section 313 of the IPC, registered with PS Welcome.
2. The status report has been filed which indicates that the petitioner's wife (the complainant, at whose instance FIR in question was registered) had alleged that the petitioner had beaten her up on 22.05.2019 and thereafter, she had gone to her parental home. She also alleged that the petitioner had a quarrel with her and beat her up on 23.05.2019 at her parental home. She stated that she was pregnant at that particular time but did not report the incident to her parents as her brother was admitted to the

hospital. According to the complainant, her pain had increased and she had excessive bleeding on 03.06.2019, which indicated that she had suffered a miscarriage. She was admitted to GTB hospital later in light of the alleged incident 03.06.2019.

3. The MLC of the complainant indicated that the complainant “*has given history of bleeding per vaginum since the assault on 23/5/19 which is probably the cause of initiation of process of abortion.*”

4. The complainant also filed an application under Section 125 of the Cr.P.C. before the Principal Judge, Family Court, Shahdara.

5. The learned counsel appearing for the complainant pointed out in the said complaint, the complainant had averred that the petitioner had beaten her up brutally on 03.06.2019, which had resulted in her bleeding profusely and she was rushed to GTB hospital where she had undergone a miscarriage. The learned counsel appearing for the petitioner submitted that in view of the above, her allegation that the petitioner had assaulted the complainant on 22nd and 23rd May, 2019 is not correct. The status report also indicates that the petitioner had switched off his mobile phone on 23.05.2019 and had turned it on 01.06.2019. The location of the petitioner on 01.06.2019 was found to be near his hometown at Haridwar.

6. The petitioner has joined the investigation and has been fully cooperating with the Investigating Officer.

7. In view of the above, this Court considers it apposite to allow the present application. The petitioner is admitted to anticipatory bail on his furnishing a personal bond of ₹20,000.00 with one surety of an equivalent amount to the satisfaction of the Investigating Officer.

8. The petitioner shall fully cooperate with the Investigating Officer. The petitioner shall provide his mobile number and ensure that he is reachable on it at all times. The petitioner shall not leave the country.
9. The pending application is disposed of.
10. Order *dasti*.

DECEMBER 05, 2019
DR

VIBHU BAKHRU, J