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

+ **BAIL APPLN. 2778/2019**

SAVITA

..... Petitioner

Through Mr Dushyant Caudhary, Advocate.

versus

STATE

..... Respondent

Through Ms Meenakshi Chauhan, APP for state.
Insp. Vijay Kumar, P.S. New Usman Pur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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06.11.2019

CRL.M.A. 39764/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present application seeking bail in connection with FIR No. 0260/2019, under Sections 326/498-A/406/304-B/302/504/34 of the India Penal Code, 1860 (IPC), registered with Police Station New Usmanpur, Delhi.
4. The said FIR relates to an incident where the petitioner's sister-in-law (wife of her brother) had expired. The deceased had succumbed to her burn injuries at a hospital. In the hospital, she had recorded a statement which indicated that on the date of the incident, her mother-in-law had abused her

and in anger she had poured kerosene on herself in front of her mother-in-law. While she was doing so, her mother-in-law pointed to the matchbox and the deceased had picked up the same and had lit herself on fire. She had also stated that her husband had no role in the incident. Subsequently, she changed her version, she stated that the mother-in-law had poured kerosene oil on her and had lit her.

5. Perusal of the statements indicate that on the date of the incident only her father-in-law and her mother-in-law were present. It is also indicated in her statement that all her sisters-in-law and brothers-in-law were interfering in her married life and it is also alleged that they had used abusive language against her and her family members.

6. The status report has been handed over which indicates that the father and the brother of the deceased had also named the petitioner as one of the persons who had harassed the deceased.

7. The petitioner was married and had shifted to her matrimonial home nine years prior to the marriage of the deceased with her brother. *Prima facie*, neither the FIR nor the statement made by the deceased indicates any definite role of the petitioner. Undisputedly, the allegations require to be investigated. However, this Court is of the view that it is not necessary to arrest the petitioner for the said purpose provided the petitioner cooperates with the investigation. It is also noted that the petitioner's husband has already been arrested.

8. In view of the above, the present petition is allowed and the petitioner is admitted to anticipatory bail subject to her furnishing a personal bond in the sum of ₹20,000/- with one surety of the equivalent amount to the satisfaction of the Investigating Officer. This is also subject to the condition

that the petitioner joins the investigation. She will appear before the IO on 08.11.2019 at 10.30 a.m. She shall also answer all of the queries raised by the IO. The petitioner shall provide her contact details to the IO and ensure that she is reachable at all times. The petitioner shall not leave the National Capital Territory of Delhi without informing the IO.

9. Order *dasti* under the signature of Court Master.

VIBHU BAKHRU, J

NOVEMBER 06, 2019

pkv