

\$~18

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

+ **BAIL APPLN. 66/2019**

DEEPAK

..... Petitioner

Through: Mr. M.N. Kural and Ms. Ashi Kural,
Advocates

versus

STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Amit Ahlawat, APP with ASI
Yashpal Verma and ASI Y. Dutt

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

%

14.01.2019

Status report filed.

The allegations have been made against the petitioner in FIR 372/2018 of police station K.N. Katju Marg registered on 24.10.2018 for offences under Sections 498A, 406, 377, 506, 34 IPC and Section 4 of Dowry Prohibition Act, 1961. The petitioner is the husband of the first informant (complainant). The parties were married to each other on 26.11.2015. In the FIR, there is a detailed narration of how the complainant was subjected to cruelty and harassment on account of illicit demand for dowry and precious gifts. It also refers to the unnatural sex with which the complainant was subjected on several occasions, without her consent and against her will. The MLC, *prima*

facie seems to corroborate her word in this regard. The investigating agency had issued a notice under Section 41-A Cr. PC requiring the presence of the petitioner but it is brought to the notice of the court that he did not cooperate nor join and made himself unavailable. Consequently, the investigating agency was constrained to approach the Metropolitan Magistrate who has issued non-bailable warrant against the petitioner.

In these facts and circumstances, it is not a fit case for exercise of the power of this court to release the petitioner on anticipatory bail.

Dismissed.

R.K.GAUBA, J

JANUARY 14, 2019

yg