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

+ **BAIL APPLN. 146/2019**

SANJAY

..... Petitioner

Through: Mr. Avdhesh Kumar Singh, Adv.

versus

GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Kewal Singh Ahuja, APP with SI
Jagdish

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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21.01.2019

Crl. M.A. 1277/2019 ((Exemption)

Allowed subject to just exceptions.

BAIL APPLN. 146/2019

Status report submitted by the State taken on record.

Heard. Perused.

The petitioner was arrested on 23.10.2018 in the course of investigation into case (FIR no.478/2018) of police station Burari, which was registered on the basis of complaint of Prem Kumari Sharma, mother of Shilpa, the incident which is the subject matter of this case having occurred on 21.10.2018. The case involves offences punishable under Sections 452, 306, 506, 324, 34 IPC. It is stated that Shilpa committed suicide by hanging on 22.10.2018 one day after the

incident. The MLC recorded on 21.10.2018 of the deceased Shilpa confirms the version about she having suffered certain injuries. As per the prosecution case, the petitioner alongwith his brother Amar Tiwari and their father Shyam Lal had knocked at the door of the house of the deceased on the pretext of engaging her in a talk respecting earlier conduct of Amar Tiwari at a time when other members of the family were not present. It is alleged during the exchange that occurred after gaining entry, Shilpa was subjected to physical assault, co-accused Amar Tiwari having used some sharp object to cause injury to her.

The investigation in so far as the petitioner is concerned has since been completed and a report (charge-sheet) under Section 173 of the Code of Criminal Procedure, 1973 has been submitted in the court of the Duty Magistrate on 20.01.2019. No useful purpose would be served by keeping the petitioner in continued custody. Thus, the application is allowed. The case for release on bail is made out. Granted accordingly subject to the following conditions:-

- (i). The petitioner shall furnish personal bond in the sum of Rs.20,000/- with one surety in like amount to the satisfaction of the trial court.
- (ii). Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the trial court.
- (iii). He shall scrupulously appear at each and every stage of the proceedings before the trial court so as not to cause any obstruction or

delay to its progress.

(iv). He shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(v). He 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

(vi). He 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 his passport, if he holds one, with the said court.

The bail application is disposed of in these terms.

A copy of this order shall be transmitted to the jail authorities and to the trial court.

Dasti under the signatures of the Court Master.

R.K.GAUBA, J

JANUARY 21, 2019

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