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

+ **BAIL APPLN. 168/2019 & CrI.M.A. 1473/2019**

SACHIN AWANA

..... Petitioner

Through Mr.N. Hariharan, Sr. Adv. with
Mr.Viraj Kadam, Adv.

versus

STATE & ANR.

..... Respondent

Through Mr. Hirein Sharma, APP for State.
SI Prateek Saxena PS Jaitpur.
Mr.Ramesh Gupta, Sr. Adv. with
Ms.M.Begum, Mr.Ajay P. Tushir,
Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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22.10.2019

Vide the present petition, the petitioner seeks anticipatory bail in the event of his arrest in FIR No.618/2018 registered at Police Station – Jait pur District South-East Delhi for the offences punishable under Sections 498A/494/406/34 IPC.

As per the status report dated 06.05.2019, whereby it is stated that during the course of investigation, the petitioner joined the investigation before the investigating officer on 12.02.2019 as per the directions of this court. Accordingly, the petitioner was interrogated wherein he denied that he never married Ms. Maya Devi and had no connection with the said lady. It is further stated that the petitioner is not cooperating in the investigation

conducted so far.

On 17.03.2019, as per the order of learned MM, Saket Courts, New Delhi, the petitioner had appeared in police station Jaitpur to return the Stri Dhan articles of the respondent no.2 and inventory of the same was prepared but the complainant refused to accept the said articles because they were not the same articles which were claimed by the Complainant.

Mr.Gupta, learned senior counsel appearing on behalf of the complainant submits that the ornaments which the Petitioner is ready to return are not the same.

Thereafter, Mr.N.Hariharan, learned senior counsel appearing for the petitioner submits that the petitioner is ready to hand over all the articles as per the list prepared at the time of marriage minus the gold ornaments which the complainant had already taken at the time of leaving the matrimonial house.

Copy of the same has been handed over to SI Prateek/IO of the case in the court.

Keeping in view the facts and circumstances of the case, this Court is of the considered view that the present case is fit for anticipatory bail. The IO concerned, is hereby directed that in the event of arrest, the petitioner be released on bail on the following terms and conditions:-

- (i) That the petitioner shall furnish a personal bond in the sum of ₹25,000/- with one surety in the like amount subject to the satisfaction of IO concerned;
- (ii) That the petitioner shall cooperate with the investigation and make himself available for interrogation by police officer, as and when required;

- (iii) That the petitioner is directed to hand over the dowry articles mentioned in the list handed over to the IO minus the gold ornaments of the complainant.

In case of default of aforementioned conditions, the State is at liberty to take appropriate recourse in accordance with law.

Before parting with the order, it is relevant to mention that nothing contained in this order shall be construed as an expression on the merits of the case.

Application stands disposed of.

SURESH KUMAR KAIT, J

OCTOBER 22, 2019

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