

\$~25

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

+ **BAIL APPLN. 209/2019 & CrI.M.A. 1759/2019**

SHIVANI SHARMA@GOLA

..... Petitioner

Through: Mr. M.N. Dudeja & Mr. Neeraj
Bhardwaj, Advs.

versus

STATE

..... Respondent

Through: Mr. K.S. Ahuja, APP for the State
with Insp. Ravi Kant, PS Karawal
Nagar.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

%

25.01.2019

Status report filed, taken on record. Both sides have been heard at length and the case diary perused. The case under investigation against the petitioner arises out of FIR No. 355/2018 of police station Karawal Nagar involving offences punishable under Sections 498A/304B/34 IPC. The subject matter of investigation is unnatural death of Smt. Laxmi, who was married to Mohit Sharma, brother of the petitioner, she being his younger unmarried sister living under the same roof. Laxmi, the deceased, had been married to Mohit Sharma on 06.02.2018. The suicidal attempt was made on 24.07.2018. The MLC would reveal that it was Mohit Sharma who took the deceased to Guru Tegh Hospital from where she was shifted to Ganga Ram Hospital, the death having occurred on 03.08.2018. The police, though informed vide DD no. 22A on 24.07.2018, did not embark upon any inquiry

till the death. The case was registered on the basis of statement of Ram Sewak, father of the deceased, recorded by the Sub Divisional Magistrate on 03.08.2018. Though the allegations have been made about demands by the matrimonial family for certain jewellery to be given in gift, the allegations relating to the petitioner seem, *prima facie*, to be omnibus and general in nature. It may also be noted that in the FIR, the first informant has raised the suspicion that his daughter may have been killed but the police has not found any evidence till death to treat this case as one of culpable homicide.

In the given facts and circumstances, the petitioner deserves protection. The petition is allowed. Thus, it is directed that in the event of the petitioner being arrested, she shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to her release, she shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer; and
- (iv) She 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/her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against her by the court of cognizance.

The petition and the applications filed therewith are disposed of in above terms.

Dasti under the signatures of Court Master.

R.K.GAUBA, J

JANUARY 25, 2019

nk