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

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Judgment delivered on: 03.05.2019

+ BAIL APPLN. 309/2019 & Crl. M. (Bail) 232/2019

VINIT GUPTA

..... Petitioner

versus

STATE NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Rajeev Kumar, Adv.

For the Respondent: Ms. Meenakshi Dahiya, APP for the State
Mr. Varun Mishra and Mr. Anish Sharma, Adv. for complainant

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No. 20/2018 under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at Police Station Adarsh Nagar. Subsequently Section 377 IPC has been added.

2. Petitioner is the husband of the complainant/prosecutrix. Subject dispute emanates out of a matrimonial discord.

3. By order dated 06.02.2019, parties were referred to mediation. Parties have settled their disputes through the process of mediation

and settlement dated 29.04.2019 has been executed. Settlement dated 29.04.2019 has been taken on record.

4. As per the settlement, the petitioner has, inter-alia, agreed to pay a total sum of Rs. 15 lakhs to the respondent for settlement of all her claims – past, present and future. A sum of Rs. 2.50 lakhs by way of DD No. 294301 dated 02.05.2019 issued by Kotak Mahindra Bank has been handed over to the respondent/complainant who is present in court. The receipt of the same is acknowledged.

5. Respondent/complainant appearing in person in Court, represented by her counsel and identified by the Investigating Officer, confirms that she has settled with the petitioner and subject to the performance of the other conditions, as stipulated in the settlement agreement, she has no objection to the grant of anticipatory bail to the petitioner.

6. Without commenting on the merits of the case and keeping in view of the totality of the facts and circumstances, I am satisfied that the petitioner has made out a case for grant of anticipatory bail.

7. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail on petitioner furnishing a bail bond in the sum of Rs. 15,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. Petitioner shall not do

anything that may prejudice either the investigation, trial or the prosecution witnesses. Petitioner shall continue to join investigation as and when so required by the IO. Petitioner shall be bound by the settlement agreement dated 29.04.2019.

8. Petition is allowed in the above terms.

9. Order *Dasti* under signatures of the Court Master.

MAY 03, 2019

‘rs’

SANJEEV SACHDEVA, J

