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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 495/2019**

BABITA KUMARI Petitioner
Through: Mr. Arjun Dewan, Advocate

versus

STATE Respondent
Through: Mr. Ashish Dutta, APP with SI
Madan Mohan, PS:Ranhola,
Delhi

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **08.07.2019**

1. This is an application under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail in FIR No.797/2017 under Sections 304-B/498-A/34 of the Indian Penal Code, 1860.

2. The case of the prosecution is that the present case was registered on the statement of the father of the deceased. It is stated in the complaint that the accused Manoj Kumar got married to the deceased (Amrita) and induced and compelled the deceased to leave with him from Bihar to Delhi. Allegations of inducement have also been levelled against the other in-laws, including the petitioner, who is the sister-in-law of the deceased. It is further stated that the deceased committed suicide on the intervening night of 12-13/11/2017 at her matrimonial home where she was residing with her husband,

Manoj Kumar and other family members. It was further alleged that the deceased was harassed on account of want of dowry, because of which she committed suicide. There is also allegation that the petitioner also harassed the deceased along with the other accused persons.

3. As per the post-mortem report of the deceased, the death was due to asphyxia, as a result of antemortem hanging.

4. The learned APP submitted that all the public witnesses have been examined and there is no other public witness required to be examined.

5. Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 10.1.2019. Learned counsel for the petitioner further submitted that the allegations levelled against the petitioner are vague and no fruitful purpose would be served by keeping her in custody as she has been falsely implicated in this case.

6. Without commenting on the merits of the matter, in view of the aforesaid facts and circumstances and also taking into consideration the relation of the petitioner with the deceased and that no other public witness is required to be examined as well as the fact that the petitioner has been in judicial custody since 10.1.2019, I deem it appropriate that the petitioner be released on bail, if not required in any other case, subject to her furnishing a personal bond in the sum of Rs.25,000/-, with one surety of the like amount to the satisfaction of the Trial Court

and further subject to the conditions that the petitioner shall not, in any manner, contact, coerce or threaten the complainant as well as his relations and shall not leave the country without the permission of the Court. In case such a complaint is received, the prosecution may move an appropriate application for passing appropriate orders.

7. The bail application is disposed of in the above terms.

CHANDER SHEKHAR, J

JULY 08, 2019
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