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

% Judgment delivered on: 24.05.2019

+ BAIL APPLN. 1250/2019

RAJENDER

..... Petitioner

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Vijay Dalal, Adv.

For the Respondent : Ms. Meenakshi Dahiya, APP for the State

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No. 417/2018 under Section 307/498A/34 IPC, Police Station Nihal Vihar.

2. The allegations in the FIR are that the prosecutrix was harassed by her in-laws as also the petitioner who is her husband and they off and on used to demand money from her. It is alleged that on the day of the incident there was once again a fight and later a scuffle and on account of which it is alleged that the complainant went to the roof where her husband, father-in-law, mother-in-law followed her and despite her protest the three of them threw her from the roof.

3. Status report has been filed. Along with the status report MLC of the prosecutrix has been filed which records the injuries sustained to be complaint of tenderness in pelvis, swelling, restricted mobility, pain and

tenderness and deformity in ankle and opines that injuries sustained were grievous.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He submits that there was a quarrel on a trivial issue and the complainant was not thrown by the petitioner or his family but she had in protest gone to the first floor of the house and jumped from there. Learned counsel submits that even as per the MLC there is no fracture sustained by her.

5. Petitioner has been in custody since 13.07.2018. Investigation is complete and charge sheet has already been filed. Trial is likely to take some time.

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

7. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any other case. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses.

8. Petition is allowed in the above terms.

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

MAY 24, 2019/rk

SANJEEV SACHDEVA, J