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

+ **BAIL APPLN. 1939/2019**

OM PRAKASH SHARMA

..... Petitioner

Through **Mr. Rakesh Malhotra, Adv.**

versus

STATE OF NCT OF DELHI

..... Respondent

Through: **Ms Meenakshi Chauhan, APP for State.**

SI Kanahiya Lal, P.S. New Friends Colony.

Mr. Jatin Sehgal and Mr. Adhinath Singh, Advs. for R2/Complainant.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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25.11.2019

1. The petitioner has filed the present petition, *inter alia*, seeking anticipatory bail in FIR No.34/2019, under Sections 323/451/452/506/341/509/354/120-B/34 of the IPC, registered with Police Station New Friends Colony.

2. The said FIR was registered at the instance of the complainant (mother-in-law of the petitioner's daughter Vipra Sharma). The complainant had alleged that the petitioner along with his daughter, Vipra Sharma, and his wife, Prabha Sharma, some other friends and family members had entered her house and forcefully looted cash, jewellery and other expensive

items. They had also threatened to kill the complainant's son when they protested. It is alleged that one of the persons (husband of Vipra Sharma's sister) had also tried to outrage her modesty. She stated that on 18.8.2018, she had gone out for some important work and when she came back, she found that her almirah was open and jewellery and other expensive items were stolen. She checked the CCTV footage and found that her daughter-in-law, Vipra Sharma, had taken away the said items in a handbag. She made a complaint to the police by dialling 100. She also alleged that Vipra Sharma had got her son arrested on false allegations. She states that later at night, at about 12:30-3:30 am, Vipra Sharma along with 10/12 friends and relatives, including her father (petitioner herein) and mother, forcibly entered her house and took away jewellery, camera, hand watches and other items, which they loaded in a truck. Her son was also brought by the police to her house. When he tried to stop the said persons, they threatened to kill him.

3. The complainant also stated that the transcript of the conversation indicates that a conspiracy was hatched between Vipra Sharma, the petitioner's wife and other persons, to falsely implicate the complainant's son and their family members.

4. The learned counsel appearing for the petitioner states that the petitioner is trying to resolve all disputes with the complainant and the matter is pending before the Delhi High Court Mediation and Conciliation Centre.

5. The learned counsel for the petitioner further states he is fully cooperating with the Investigating officer and he has also voluntarily agreed to provide his voice samples, which are scheduled to be taken on 16th and

17th of January, 2020.

6. In view of the above, this Court considers it apposite to allow the present petition.

7. The petitioner is granted anticipatory bail on furnishing a person bond of ₹25,000/- and one surety of an equivalent amount to the satisfaction of the Investigating Officer. The petitioner shall also provide his mobile number and ensure that he is reachable at all times.

8. It is clarified that the Investigating Officer is at liberty to apply for cancellation of bail if the petitioner fails to cooperate in the investigation. It is further clarified that this order will inure to the benefit of the petitioner till a charge-sheet is filed.

9. The petition is allowed in the aforesaid terms.

VIBHU BAKHRU, J

NOVEMBER 25, 2019

DR