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

% Judgment delivered on: 17.05.2019

+ BAIL APPLN. 351/2018

AJAY ARORA

..... Petitioner

versus

THE STATE GOVT OF NCT OF DELHI Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. R.D. Sharma with Ms. Samta Jain and Mr. Anurag Bhardwaj, Advocates.

For the Respondent: Ms. Kusum Dhalla, APP for the State.
ASI Shridhar, PS Alipur.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.85/2017 under Section 306 IPC, Police Station Alipur.

2. It is alleged that information was received that one lady had jumped from a flyover. She was taken to a hospital for treatment and was declared unfit to make statement and prior to her statement being recorded she expired.

3. It is alleged that she was married to one Mr. Amit Bansal, who is a physically challenged person. Parents of the deceased stated that

no demand for dowry was even made by her husband, though their daughter was not liked by her in-laws. It is alleged that she was suffering from epilepsy which was duly informed to the family of the husband. It is alleged that initially they accepted her, however, subsequently, they refused to accept her.

4. It is alleged that the marriage of the daughter was arranged with Mr. Amit Bansal by the petitioner in whose factory the deceased used to work. Statement was given by the family of the deceased that they suspected that the petitioner had abetted in commission of suicide by the deceased as he was pressurizing her to withdraw a petition for divorce filed by her against her husband and also that he wanted to marry her. It is alleged by the parents that she had informed them that she had solemnized marriage with the petitioner and they had established physical relationship.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that apart from vague averments, there is no material to show that the petitioner has, in any manner, abetted or incited the deceased to commit suicide. He further submits that there is no corroborative material to show that the deceased had married the petitioner.

6. Learned counsel for the petitioner further submits that the deceased was not mentally stable and was under treatment at IHBAS.

7. By order dated 13.02.2018, petitioner was granted interim protection, subject to joining investigation.

8. Learned APP for the State, under instructions from the Investigating Officer, submits that the petitioner had joined investigation as and when was required by the Investigating Officer. investigation is complete. She submits that chargesheet has been finalised and shall be filed shortly before the concerned Court.

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

10. 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. 25,000/- 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 trial or prosecution witnesses.

11. Petition is allowed in the above terms.

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

SANJEEV SACHDEVA, J

MAY 17, 2019

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