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

+ **BAIL APPLN. 2228/2019**

JASPREET

..... Petitioner

Through: Mr Tarun Kumar, Advocate.

versus

STATE

..... Respondent

Through: Ms Kusum Dhalla, APP for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **11.12.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that the petitioner be granted bail in FIR No. 12/2018 under Sections 302/201/120B/34 of the IPC, registered with PS Khyala.

2. The said FIR was registered on the information received that a dead body was lying at Kesho Pur Ganda Nala, Kesho Pur Depot. It is alleged that the deceased was in a relationship with the petitioner's wife. It is alleged that the petitioner's wife had called the deceased to their residence and the petitioner and his wife had bludgeoned him to death. The petitioner's wife has been released on bail, principally, for the reason to look after their minor children.

3. A status report has been filed, which indicates that certain forensic evidence has been collected which establishes the involvement of the petitioner and his wife. It is stated that a blood stained wooden *balli* and a broken hammer was recovered on disclosure made by the accused. The Scooty (vehicle used by the deceased) had also been recovered on the

disclosure made by the accused. In addition, DNA samples from the blood on a tile in the house of the petitioner matches with the DNA of the deceased. The DNA of the deceased has also been found in other samples – blood stained gauze and a foam piece, which were lifted from the house of the petitioner.

4. It is stated that twenty-five witnesses out of thirty-four witnesses have been examined. Ms Dhalla, learned APP states that the trial is likely to be completed shortly.

5. In view of the above, this Court does not consider it apposite to allow the present petition at this stage. Accordingly, the petition is dismissed.

DECEMBER 11, 2019
RK

VIBHU BAKHRU, J