

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

Date of decision: October 31, 2019

+ **BAIL APPLN. 2267/2019**

LALIT KUMAR

..... Petitioner

Through Mr. B.S. Chowdhary and Ms. Sneh
Lata Rana, Advocates

versus

STATE

..... Respondent

Through Ms. Neelam Sharam, APP for the
State

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

1. Vide this order I shall dispose of an application for grant of interim bail to the petitioner Lalit Kumar. Learned Counsel for the petitioner has prayed for interim bail for a period of one month for admitting his 5 year old daughter in a school, since there is no male member in the family except father of petitioner who is suffering from various diseases and is not in a position to move easily.

2. It is submitted that petitioner's father is illiterate, old and has no knowledge regarding admission of petitioner's daughter in a school.

Learned counsel for the petitioner, therefore, prays that the petitioner be released on bail to get his daughter admitted in school.

3. Learned APP has opposed the bail application and stated that the offences alleged against the petitioner are serious in nature. He has been accused of murdering his brother in law Shreshtra @ Kittu.

4. I have considered the rival submissions. The allegations against the petitioner are serious in nature. The father of the deceased who is the main witness is under cross examination and the wife of the petitioner is also a witness in the said case and is residing with her father. The allegations against the applicant are that he had taken the deceased Kittu on his motorcycle into jungle in Alipur and strangled him with a plastic rope lying there. He had done this for the reason that he had come to know that his in laws and wife were planning to register a domestic violence case against him and his family members.

5. Perusal of status report reveals that admission process in the school is closed. Learned counsel for the petitioner has however submitted that principal of 'Happy Time Public School', Bhajan Pura has assured that he would give admission to the student in nursery class on 12th October 2019.

6. The inspector Kumar Santosh who visited the said school was informed that the admissions in school are closed. Learned counsel for the petitioner has, however, placed a letter on record which was written by the principal of 'Happy Time Public School', Bhajan Pura to SHO Police Station, Bhajan Pura, Delhi stating that new admission are closed

after 31/8/2019 and if the admission is necessary permission of Education Department is required to be taken.

7. As per the earlier status report placed on record there are other family members of the petitioner. One is father Girish Chand, who is 52 years of age, other is Sushma, mother of the petitioner, aged 50 years and third one is Jagdish, brother of the petitioner, aged 28 years.

8. Keeping in view the nature of allegations leveled against the petitioner, the fact that the statement of the father in law of the petitioner who is accused of killing his brother in law is still being recorded and further in view of the fact that there are other members including the brother of the petitioner, Jagdish who can follow the process of admission, no grounds for interim bail are made out at this stage.

9. The interim bail application is, therefore, dismissed.

(BRIJESH SETHI)
JUDGE

OCTOBER 31, 2019
ds