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

+ **BAIL APPLN. 2271/2019**

SUSHMA JAIN

..... Petitioner

Through: Mr Mohit Mathur, Sr. Advocate with
Mr Sahil Munjal, Ms Rhea Gandhi,
Mr Prateek Goswami and Mr Kaushal
Kaushik, Advocates.

versus

THE STATE

..... Respondent

Through: Ms Kusum Dhalla, APP for State.
Mr Rajiv Khosla, Ms Roshni Singh,
Mr Ashok Kumar Dhull and Mr Sunil
Singh, Advocates for the
complainant.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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24.10.2019

CRL.M.A. 35641/2019

1. Allowed, subject to all just exceptions.

BAIL APPLN. 2271/2019

2. The petitioner has filed the present petition, *inter alia*, praying that anticipatory bail be granted to her in relation to FIR No. 0272/2019 under Sections 498A/304B/34 of the IPC registered with PS Keshav Puram, Delhi.

3. The status report has been filed, which indicates that the crime team had arrived at the site on 11.08.2019 on receipt of information that the body of the deceased was hanging from a fan. It is stated that although the

husband of the deceased was present on the spot, other family members had run away.

4. The deceased got married to the petitioner's son on 13.12.2018 (which is barely eight months prior to the aforesaid incident). The father of the deceased had alleged that the deceased was being harassed and was kept in a room without being provided food, from time to time. The deceased was four months pregnant at the material time. It is alleged that she has been harassed mentally by her husband as well as her by her in laws (father-in-law, mother-in-law, brother-in-laws and sister-in-laws). It is also alleged that they had demanded dowry articles like AC, laptop, LED TV, etc.

5. The status report indicates that all the family members of the deceased's husband are being held responsible for the said incident. The husband of the deceased has been arrested.

6. The petitioner has not been arrested as yet. The status report indicates that it is verified that she is suffering from endometrium DM, HTN, EF 50% and is admitted for chemotherapy. The medical records as submitted by her have been verified from the hospital.

7. It is stated that the chargesheet against the husband of the petitioner has been filed. This indicates that the investigation has progressed significantly. Although the charges against the petitioner are serious, however, considering her medical condition, this Court considers it apposite to allow the present petition.

8. The petitioner is granted anticipatory bail on her furnishing a Personal Bond in the sum of ₹50,000/- and two sureties of the like amount to the satisfaction of the IO/SHO concerned. This is also subject to the condition that the petitioner shall not leave the National Capital Territory of Delhi and

shall also be available on all dates as required.

9. Ms Dhalla, learned APP appearing for the State, also submitted that a supplementary chargesheet(s) may be required to be filed and it is possible that further charges may also be added. In this regard, it is clarified that if any allegation of any other offence is added by the police authorities/concerned court, the present order shall not inure to the benefit of the petitioner.

10. In such eventuality, it will be open for the petitioner to avail a remedy as available in law.

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

VIBHU BAKHRU, J

OCTOBER 24, 2019
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