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

+ **BAIL APPLN. 2816/2019**

DHEER SINGH & ANR.

..... Petitioners

Through Mr. Vishal Gosain, Mr. Sandeep
Panwar, Mr. Nikhil Ahuja &
Ms. Maulshree Pathak, Advs.

versus

STATE

..... Respondent

Through Mr. Panna Lal Sharma, APP for State
SI Manoj, PS Sarita Vihar
Mr. T P Singh, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

% **08.11.2019**

CRL MA 39961/2019 (exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 2816/2019

Notice issued.

Learned APP accepts notice on behalf of the State and Mr. T P Singh,
Advocate accepts notice on behalf of respondent no.2.

With the consent of the parties, the bail application is taken up for
final disposal.

The case of the petitioner is that the complainant has been living
amicably at her matrimonial home and has become an integral member of
the family and shares cordial relationship with the petitioners. The
complainant, for reasons best known to her, self-inflicted a knife injury upon

her neck on the afternoon of 28.07.2019. The father in law of the complainant (petitionerNo.1 herein) immediately rushed her to the Holy Family Hospital and they reached the hospital around 1:30 p.m. and at that time she was conscious and oriented. The complainant was given first aid treatment and was discharged from the hospital at around 3:15 p.m.

Further, the alleged incident was of 28.07.2019 and on receipt of the information, police officer of the concerned Police Station reached the hospital, however, the complainant refused to make any statement on the said date. Accordingly, no case was registered on the said date in the Police Station. Further, co-accused Sheetal, Chanchal, Deepanshu and Yash, who are from the family of in-laws of the complainant, have already been granted anticipatory bail by this Court vide orders dated 21.10.2019 and 24.10.2019. It is thus prayed, that since there are no allegations against the petitioners, they be granted anticipatory bail.

Learned APP for the State along with the learned counsel for respondent no.2 has opposed the prayer for anticipatory bail to the petitioners on the ground that the injuries inflicted upon the complainant are serious and are on the vital part of the body, i.e., the neck. Further, the petitioners were available at the spot and they are therefore, not entitled to anticipatory bail.

It is not in dispute that as per the MLC, the injury has been opined as simple in nature. Further, no allegations have been made by the complainant against anyone, including the petitioners herein. Moreover, on the date of the alleged incident, admittedly it was petitioner no.1 who had taken the complainant to the hospital for medical treatment and when the police officials reached there, the complainant denied to give any statement,

therefore, no case was registered on that day.

The case of the petitioners is that the injury on the person of the complainant is self inflicted for the reasons best known to her. However, without commenting upon the merits of the prosecution case, I hereby grant anticipatory bail to the petitioners.

Accordingly, the I.O. of the case is directed to release the petitioners in the event of their arrest, subject to furnishing of personal bail bonds in the sum of ₹10,000/- each with one surety each in the like amount, to the satisfaction of the I.O/ SHO of the concerned police station.

Petitioners shall make themselves available as and when called by the I.O. for interrogation.

The bail application is allowed and disposed of accordingly.

SURESH KUMAR KAIT, J

NOVEMBER 08, 2019

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