

\$~2

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

+ **BAIL APPLN. 1354/2018**

SHAILENDER KUMAR

..... Petitioner

Through: Mr. Bhagat Singh and Mr. Deepak
Sharma, Advs.

versus

STATE

..... Respondent

Through: Mr. Tarang Srivastava, APP for State
with SI Vikram Singh, PS – Hari
Nagar

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

29.08.2019

%

Vide the present application, the petitioner seeks direction thereby directing the Arresting Officer/ SHO concerned to release the petitioner on bail in the event of arrest in FIR No. 219/2018 registered at Police Station – Hari Nagar for the offences punishable under Sections 498A/406/34 IPC.

Learned APP appearing on behalf of the State submits that the petitioner threatened to commit suicide, if she would not sign the divorce papers. Moreover, the dowry articles have not been returned by the petitioner. Therefore, the application may be dismissed.

The fact remains that the case is registered under Sections 498A/406/34 IPC against the petitioner and his family members and no allegations regarding the dowry articles are made against the petitioner. Further, the petitioner and the complainant were staying in the same house at

Jaipur, however, the petitioner moved out of the house whereas, the complainant is still residing in the said house.

Keeping in view the facts and circumstances of the case, this Court is of the considered view that the present case is fit for anticipatory bail. The SHO/ Arresting Officer concerned, is hereby directed that in the event of arrest, the petitioner/ applicant be released on bail on the following terms and conditions:-

(i) That the petitioner shall furnish a personal bond in the sum of Rs.25,000/- with one surety in the like amount subject to the satisfaction of Arresting Officer/SHO concerned;

(ii) That the petitioner shall cooperate with the investigation and make himself available for interrogation by police officer, as and when required;

In case of default of aforementioned conditions, the State is at liberty to take appropriate recourse in accordance with law.

Before parting with the order, it is relevant to mention that nothing contained in this order shall be construed as an expression on the merits of the case.

Application stands disposed of.

SURESH KUMAR KAIT, J

AUGUST 29, 2019

PB