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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1788/2018**
INDERPREET SINGH Petitioner
Represented by: Mr. Yogesh Kumar, Advocate.

versus

STATE (GOVT.OF NCT OF DELHI & ANR) Respondent
Represented by: Ms. Rajni Gupta, APP for the State
with SI Randeep, SI Prashant Vihar.
Mr. Ranjan Sharma, Advocate for R-
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CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
21.02.2019

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1. By this petition, the petitioner seeks anticipatory bail in case FIR No. 6/2018 under Sections 498A/406/377/34 IPC registered at PS Prashant Vihar.
2. The allegations of the complainant in the FIR in question were that despite the fact that her family spent huge amount on marriage, she was harassed mentally and physically for bringing insufficient dowry and more dowry was demanded. She also alleged that her stridhan articles, costly gifts and jewellery etc. were retained and are still in possession of the petitioner.
3. Pending hearing of the bail petition before this Court complainant appeared before this Court on 4th October, 2018 and stated that while she was in the hospital and her father had no money to bear the expenses of

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the caesarean surgery and hospital expenses, the petitioner and his family members also did not pay for the same and got the child adopted to one Mr. Varun Saxena who paid the medical expenses in the hospital.

4. In view of the serious allegations, this Court directed the DCP concerned to get an inquiry conducted in the matter and file a detailed status report.

5. A detailed status report has been filed by the DCP Rohini District, according to which the complainant gave birth to a baby girl on 6th January, 2018 and stayed in the hospital till 12th January, 2018. The bills of the hospital were cleared by the credit card of the father of the complainant for a sum of ₹1,01,800/- and the balance amount of ₹28517/- was given in cash. An adoption deed of the baby girl was also entered into which was duly signed by the petitioner and complainant besides the adoptive parents, namely, Varun Saxena and his wife Avinash Saxena. The said adoption deed was registered before the Sub-Registrar VI, Sector-16 Rohini on 1st May, 2018. Though no payments were made by Varun Saxena, however, it has been revealed that the brother of Varun Saxena, namely, Tarun Saxena has issued a demand draft of ₹1,30,000/- in the name of the complainant which was duly encashed by the complainant. Further on enquiry it was revealed that the adoption took place with the help of one Ms. Saroj Bala, a friend of the complainant's mother.

6. In view of the status report submitted by the DCP Rohini District, prima facie there is little evidence to come to the conclusion that the adoption was at the instance of the petitioner, however, the fact remains the petitioner did not bear the expenses of the child birth in the hospital. The

allegations of the complainant are of harassment of demand for dowry.

7. The petitioner who is present in Court along with the learned counsel states that to show his bona fides he is willing to deposit a sum of ₹2 lakhs with the Registrar General of this Court which in case the child is received back from the adoptive parents to the complainant can be utilised for the minor child or for the maintenance of the respondent No. 2 without prejudice to his rights and contention and that of the complainant. Considering the facts noted and in view of the undertaking of the petitioner, this Court deems it fit to grant anticipatory bail to the petitioner.

8. It is, therefore, directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit. As undertaken, the petitioner will deposit a sum of ₹2 lakhs with the Registrar General of this Court within four weeks which amount will be kept by the Registrar General in the Fixed Deposit. The deposit of ₹2 lakhs and the interest that would accrue thereon will be subject to the final outcome before the learned Trial Court or else any settlement arrived at between the parties.

9. Petition is disposed of.

10. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 21, 2019

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