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

+ **BAIL APPLN. 3076/2018**

VIJAY KUMAR

..... Petitioner

Through: Ms. Swaty Singh Malik, Mr. Satinder
Singh Mathur and Mr. Faizan Nazir,
Advs.

versus

STATE & ANR

..... Respondents

Through: Mr. Amit Chadha, APP for State with
Insp. Kanchan, P.S. Geeta Colony.
Mr. C.M. Grover, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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28.02.2019

Learned counsel for the petitioner submits that deceased was wife of petitioner. She committed suicide at her parents' house on 13.06.2018 after about 5 months of marriage. General allegations of demand of dowry have been levelled in the FIR, which otherwise are untrue. Deceased was having love affair with one Hemant Kumar. Petitioner found her roaming with Hemant Kumar on 30.05.2018, when confronted she had no explanation to offer. Deceased left for her parents' house on 30.05.2018 itself and started staying there. Deceased committed suicide by hanging herself out of shame. The fact that deceased was found in the company with Hemant Kumar has even been admitted in the FIR and the statements of other witnesses.

Investigations are complete and charge under Sections 306/498-A IPC have already been framed against the petitioner. Petitioner is in custody for about eight months. It is prayed that petitioner may be admitted to bail.

Learned APP, who is assisted by the learned counsel for the respondent no.2, has opposed the grant of bail to the petitioner. It is contended that deceased was harassed by the petitioner and his family on the point of dowry, inasmuch as, ₹40,000/- was demanded. About twenty days prior to the incident petitioner, his mother, sister, brother and mediator-Meenu (niece of complainant-father of deceased) left the deceased at her parents' house. Meenu informed the complainant on phone about 15 days ago that deceased was given beatings by her in-laws when she was found in the company of a man. Deceased disclosed to her father that the said person Hemant Kumar was her colleague, who used to work with her. While deceased was staying at her parents' house petitioner used to communicate with her on WhatsApp. On coming to know that deceased was pregnant petitioner told her that he would get DNA of the child conducted. On hearing this deceased became disturbed and committed suicide. It is further contended that petitioner had aided and abetted deceased to commit suicide. He has placed reliance on Satish

Jagdishchandra Mistry & Anr. Vs. State of Gujarat MANU/GJ/0258/1991.

Keeping in mind the totality of the facts and circumstances of this case, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

FEBRUARY 28, 2019

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