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

+ **BAIL APPL 3169/2019**

LALIT KUMAR

..... Petitioner

Through: **Mr. Anil Kumar Gupta, Advocate**

versus

STATE

..... Respondent

Through: **Ms. Radhika Kolluru, APP for State
with I.O. SI Laxman
(Mob. No.9910759817)**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

% 17.07.2020

CRL. M.A. 8158/2020 (early hearing)

1. The present application has been filed seeking early hearing of BAIL APPL 3169/2019.
2. The application is allowed and with the consent of the parties, BAIL APPL 3169/2019 is being taken up for hearing today itself.
3. The application is disposed of.

BAIL APPL 3169/2019

1. The present application has been filed seeking regular bail in FIR No.295/2019 registered under Sections 498A/304B/34 IPC at Police Station Fatehpur Beri, Delhi.

2. Learned counsel for the petitioner submits that the marriage between the petitioner and the deceased/Akanksha took place on 18.04.2017 and the deceased was found hanging on 11.08.2019. He further submits that in the initial statement given by the father of the deceased on 12.08.2019, on the basis of which the present FIR was registered, there was no mention of any specific demand made by the petitioner. The allegation of demand of money by the present petitioner for purchasing a plot was made in the subsequent statement given by the father and the other family members on 31.08.2019 and the same was result of an afterthought. It is submitted that even then, there is no investigation in the charge-sheet with respect to the aforesaid allegation. He also submits that in the first statement, the allegations of dowry demand have been made against the father-in-law who has been granted anticipatory bail by the Sessions Court.

3. It is also submitted that the petitioner has been in custody since 12.08.2019 and vide order dated 12.05.2020, this court had admitted the petitioner on interim bail on account of the prevalent COVID-19 situation and the same was extended till today vide order dated 24.06.2020.

4. Learned APP for the State, on the other hand, has opposed the bail application. She submits that besides the statements of Mr. Radhe Shyam (father of the deceased), the I.O. has recorded statements of Smt. Malti Devi (mother of the deceased) and Alka (sister of the deceased) who have consistently stated about the demands of dowry and the cruelty meted out to the deceased by the petitioner as well as by other family members.

5. In rebuttal, learned counsel for the petitioner has referred to the post-mortem report to submit that no injury marks have been noticed in the

post-mortem report. He submits that in pursuance to the order of interim bail, the petitioner has already furnished a personal bond Rs.40,000/- as well as the surety to the satisfaction of the Jail Superintendent.

6. In view of the facts and circumstances, the petitioner is admitted to bail on the same personal & surety bond subject to the other conditions already imposed vide order dated 12.05.2020 with the modification that the petitioner is not required to seek any permission to leave NCT of Delhi to travel to his native place at Kanpur, U.P.

7. With the above directions, the application is disposed of.

8. The date already fixed in the bail application is cancelled.

9. A copy of this order be communicated to the concerned Jail Superintendent as well as the concerned I.O./S.H.O. electronically for information and necessary compliance.

MANOJ KUMAR OHRI, J

JULY 17, 2020

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