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

+ **BAIL APPLN. 926/2020**

MAYA DEVI

..... Petitioner

Through: None.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Raghuvinder Varma, APP for State.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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31.07.2020

(Video Conference Hearing)

Inspite of a pass-over, none connects for the applicant to join the hearing.

The proceeding of the first date of hearing i.e. 18.05.2020 on the instant application is as under:

“BAIL APPLN. 926/2020

The deceased died an un-natural death on 23.04.2020. Learned counsel for the applicant strenuously contends that the husband of the deceased has already been admitted to regular bail on 15.05.2020 by the ld. ASJ. Mr. Farooqi, ld. APP for the State on his part feigns total ignorance on this factual aspect and seeks adjournment to have instructions.

List on 02.06.2020. Status report shall be filed by the prosecution two days before the adjourned date.”

No status report in pursuance of the order passed on 18.05.2020 came to be filed nor does it surface on record even today inspite of the observations made by the Court on 02.06.2020, as follows:

“Status report in terms of the last order has not come on record, though, Mr. Farooqi, ld. APP submits that it was filed initially on 29.05.2020 and thereafter, it was sent through e-mail yesterday, as well. Mr. Sharma, ld. counsel for the applicant on his part submits that he has received a copy of the status report sent through whatsapp messenger by the IO yesterday. Be that as it may, the status report is not on record. Let the prosecution take the requisite steps to get the said status report on record by tomorrow.

List on 04.06.2020.”

On 04.06.2020, the Court noted as follows:

“A status report has come to be filed.

Learned counsel for the applicant submits that the husband of the deceased was arrested on 04.05.2020 and granted regular bail on 15.05.2020 and that, the jeth of the deceased was also granted interim bail. Copy of the order granting bail to the husband of the deceased however does not surface on record. Let a copy of the said bail order be placed on record two days before the adjourned date. Till then, the applicant shall not be arrested. The applicant shall however join investigations, as and when called for by the IO.

List on 31.07.2020.”

As per the record, the only status report on record is dated 29.05.2020. Though from the PDF available it cannot be ascertained as to the date of filing of this status report dated 29.05.2020 on record, it is however apparent that it came to be filed only after 02.06.2020 and that, no status report in

terms of the intent of the order dated 18.05.2020 has come to be filed inasmuch as the said status report dated 29.05.2020 does not even indicate as to whether the husband of the deceased was already admitted to **regular** bail on 15.05.2020 by the Id. ASJ. What to talk of any assertion on this factual aspect by the prosecution neither the applicant nor the prosecution has taken any initiative to get the said order on record of any **regular** bail granted to the husband of the deceased on 15.05.2020. Even no one appears for the applicant today. In view of the foregoing, the application is dismissed and the protection extended to the applicant on the last date of hearing i.e. 04.06.2020 is vacated.

Application stands disposed of accordingly.

A. K. CHAWLA, J

JULY 31, 2020

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