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

+ **BAIL APPLN. 1048/2020**

MEENU @ SAKSHI

..... Petitioner

Through Dr Alok, Advocate.

versus

STATE OF NCT OF DELHI

..... Respondent

Through Ms Neelam Sharma, APP for state.

SI Brahm Prakash present.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.06.2020

[Hearing held through videoconferencing]

1. The petitioner has filed the present petition, *inter alia*, praying that she be released on interim bail for a period of eight weeks.
2. The learned counsel appearing for the petitioner states that the petitioner has an eleven months old infant who has also faced certain medical issues in the prison. A medical report has been filed by the Jail Authorities which confirms that the petitioner and her infant suffered certain medical issues, however, the same were addressed.
3. The status report has been filed which indicates that the petitioner is being prosecuted pursuant to registration of an FIR No. 522/2019 under Section 302/498-A/304B/120-B/201/34 IPC and Section 27/30 of the Arms Act, registered at P.S. Kapashera.
4. The said FIR was registered at the instance of the father of the

deceased – a woman aged about 25 years. It is alleged that the deceased had been tortured by her husband and his family members on account of not satisfying their demands of dowry.

5. The status report indicates that on 25.12.2019, a PCR call was received and the same was recorded in DD No. 4-A as “*Caller ki bhai ki wife chat par se kood gaye hai*”. Further inquiries indicated that the deceased (name withheld) was lying in an unconscious state in a pool of blood at the given address. She was immediately taken to DDU Hospital where she was declared ‘brought dead’. The investigations also revealed that the deceased was being tortured for insufficient dowry. The family members of the deceased allege that on numerous occasions the deceased had asked them to take her away from her matrimonial home as she was being tortured for dowry. They also narrated the incidents of demands of dowry and their compliance with the same.

6. Plain reading of the status report indicates that there is no specific allegation against the petitioner. Apart from an allegation that she was also one of the family members of the husband of the deceased who had joined other family members in insisting that the deceased be taken back to her paternal house, there is no other specific allegations against the petitioner. The petitioner is the wife of the brother-in-law (husband’s brother) of the deceased. It is also alleged that the petitioner was present at the residence at the time of the incident.

7. At this stage, it is not necessary to examine the material collected by the investigating agency in any further detail. Considering the allegations made against the petitioner and the status report, this Court considers it apposite to allow this petition.

8. The petitioner is, accordingly, directed to be released on bail for a period of eight weeks from the date of her release on her furnishing a personal bond in the sum of ₹10,000/- to the satisfaction of the concerned Jail Superintendent. This is also subject to further conditions that (a) the petitioner shall provide her contact number to the concerned police authorities and ensure that she is reachable on the said number at all times; and (b) she shall not leave the National Capital Territory of Delhi.
9. The petition is allowed in the aforesaid terms.

VIBHU BAKHRU, J

JUNE 05, 2020

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