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

+ **BAIL APPLN. 2813/2019 & CRL.M.A. 625/2020**

AASHAY SINGHAL

..... Petitioner

Through: Mr Ashutosh Lohia, Mr Aditya
Rathee and Ms Archana Saxena,
Advocates.

versus

STATE

..... Respondent

Through: Mr Amit Gupta, APP for State with
Insp. Anant Kiran, PS Model Town.
Ms Namita Roy and Mr Abhijit
Acharya, Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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12.03.2020

1. The petitioner has filed the present petition, *inter alia*, seeking bail in connection with FIR No.0139/2019 under Sections 304B/34 of the IPC registered with PS Model Town. The status report has been filed, which indicates that a chargesheet was filed and charges under Sections 302/498A/304B/34 of the IPC have been framed against the petitioner.
2. Mr Gupta, learned APP has drawn the attention of this Court to certain statements made by the complainant and the supplementary statement made by the complainant, which forms a part of the chargesheet. In his initial complaint, the complainant who is the father of the deceased, had made allegations to the effect that the petitioner was short-tempered and used to torture his daughter. He had also cited incidents of his misbehaviour.

In his supplementary statement, he has made specific allegations of demand of money on various occasions and has also given instances where he had transferred money into the account of his daughter.

3. Mr Lohia, learned counsel appearing for the petitioner contends that there is no material on record of the alleged commission of offence punishable under Section 302 of the IPC. He submits that, at best, the allegations are supportive of commission of an offence punishable under Section 306 of the IPC. He further submits that the petitioner has two minor children who are required to be looked after.

4. This Court is informed that the next date before the Trial Court is fixed for 14.05.2020 for recording the prosecution's evidence. The evidence of the complainant has not been recorded as yet. Considering the above, this Court does not consider it apposite to allow the present petition at this stage. However, it is directed that the complainant shall be examined in the first instance. The petitioner is at liberty to apply afresh after the evidence of the complainant had been recorded.

5. The petition is, accordingly, dismissed. The pending applications are also disposed of.

VIBHU BAKHRU, J

MARCH 12, 2020
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