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

+ **BAIL APPLN. 984/2018 & CRL.M.(BAIL) 707/2018**

TRIBHUVAN KR KAUSHIK @ PREET Petitioner
Through Petitioner in person

versus

STATE (GOVT OF NCT OF DELHI) Respondent
Through Mr. Hirein Sharma, APP for State
SI Rahul Kumar, PS Laxmi Nagar
with ASI Ravinder Kumar,
Padpadganj Industrial Area
Mr. Prabhoo Dayal Tiwari with Mr.
Surya Kumar and Ms. Manisha
Tiwari, Advs. for R-2 with respondent
no.2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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04.03.2020

1. Vide the present petition, petitioner in person, who is an Advocate by profession, seeks direction thereby to grant regular bail to the petitioner/accused in case FIR No. 886/2016 U/s 498A/406/420/377/494/34 of IPC registered at Police Station Shakarpur and further, pass an order for speedy trial to be concluded within 3 months.

2. Case of prosecution is that on 21.07.2016, Ms. Soni Bhardwaj filed a complaint in CAW alleging therein that she was married to petitioner herein on 21.02.2015, who is resident of Ghaziabad, UP, as per the Hindu rites and

rituals. Her father Manohar Lal had spent a sum of approx. ₹16 lakhs on her marriage. From the above said amount, ₹12 lakhs were taken in cash by petitioner and his father stating that they would arrange dowry articles and food, etc. for the marriage party. Few days after the marriage, her father in law and mother in law started saying absurd things to her about the clothes and the gifts given by her parents in the marriage. They taunted her for getting insufficient dowry articles at the time of her marriage. On 03.03.2015, when she went to her home, her in-laws asked her to bring clothes and two gold jewellery articles, etc. from her parents. Petitioner and his father used to drink liquor daily at their house and thereafter father of the petitioner used to hurl dirty abuses at her. There were allegations of mental harassment and unnatural sex against petitioner and accordingly, aforesaid FIR was lodged.

3. It is also alleged by complainant that on the complaint of her in-laws, a false FIR was registered against her brothers, father and other persons vide FIR No. 502/2016, u/s 147/307/323/504/506/506 IPC, PS Vijay Nagar, UP and she had withdrawn the complaint from the women police station Ghaziabad in view of the threats of her in-laws.

4. During the course of investigation, detailed statement of complainant was recorded and it was revealed that the petitioner herein had solemnized three other marriages before marrying her. He first married with one Gargi Sharma @ Neetu on 08.12.2004 and thereafter, he married Neelam on 02.12.2007 and the third marriage was solemnized with Tanu Kaushik on 13.05.2013. Thereafter, the fourth marriage was solemnized with the complainant on 21.01.2015. He has performed his fifth marriage on 14.03.2017 with Arpita Mukherjee without taking divorce from the

complainant. It is further alleged that except with Tanu Kaushik and Gargi Sharma, petitioner has not taken divorce from any other lady. To this effect, complainant also produced a copy of marriage certificate with respect to marriage with Arpita Mukherjee and copy of FIRs registered against the petitioner by Gargi Sharma and Neelam Sharma and also the copy of divorce decree with respect to Tanu Kaushik and Gargi Sharma.

5. The allegations against petitioner are that he used to demand unnatural sex from complainant herein and used to beat her in the event of non fulfilment of such demands. During the course of the investigation sections 420/494/377 IPC was added in the case against the petitioner.

6. In addition to above, it is not in dispute that Case FIR No. 235/15, u/s 498-A/323/506 IPC & 3 / 4 Dowry Act, PS Kotwali, Ghaziabad, UP and another FIR No. 330/12, u/s 498-A/323/506 IPC & 3 / 4 Dowry Act, PS Aligarh, District Aligarh, UP were registered against the petitioners.

7. Keeping in view the repeated habits of petitioner marrying with different ladies that too without taking divorce from previous wives, I am of the view that present petitioner, who is an advocate by profession, does not deserve any leniency and sympathy from the Court.

8. Accordingly, the petition is dismissed.

9. At this stage, petitioner seeks 24 hours time to surrender before the concerned jail so that he may make arrangements for his 13 years old daughter.

10. Accordingly, he shall surrender before the concerned jail on or before 06.03.2020 upto 06:00 pm.

11. Order *dasti* under signatures of the Court Master.

12. Copy of this order be transmitted to the Jail Superintendent and

concerned Trial Court for necessary compliance.

13. Pending application also stands disposed of.

SURESH KUMAR KAIT, J

MARCH 04, 2020

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