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IN THE HIGH COURT OF DELHI AT NEW DELHI

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*Reserved on : 12.04.2022**Pronounced on : 20.04.2022*+ **BAIL APPLN. 1321/2021**

SUMIT GOEL

..... Petitioner

Through: Mr. Anuj Kishore, Advocate.

versus

THE STATE & ANR.

..... Respondents

Through: Dr. M.P Singh, APP for the State with
SI Dharambir Singh, P.S: Shalimar
Bagh.
Ms. Neha Agarwal, Advocate for
complainant.

CORAM:**HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA****ORDER****ANOOP KUMAR MENDIRATTA, J.**

1. This is a petition under Section 438 Cr.P.C. filed on behalf of the petitioner seeking anticipatory bail in FIR No. 0712/2020 under Sections 498A/406/34 IPC registered at Police Station Shalimar Bagh, Delhi.

2. In brief, the case of the prosecution is that marriage between the parties was solemnized on 01.07.2009. Further, the complainant Smt. Komal Agarwal was subjected to mental, physical, sexual, emotional, economical torture by the petitioner-husband and repeated dowry demands were also made by the petitioner and his family members. It has also been alleged that the petitioner used to beat the complainant and had kept her starving for a



period of 07 days. The complainant was kicked out of the matrimonial home on 23.02.2019. A settlement is alleged to have been arrived between the petitioner and the complainant vide Panchayatnama dated 28.09.2019 but the petitioner did not adhere to the terms of the settlement. A complaint was registered before the CAW Cell, North District, Delhi which culminated into registration of present FIR No.0712/2020 under Sections 498A/406/34 IPC at Police Station Shalimar Bagh, Delhi.

3. Learned counsel for the petitioner submits that complaint has been filed on account of matrimonial differences. He further submits that the charge sheet has been filed before the learned trial court and the other co-accused namely Smt. Anju Goel, Smt. Rinki Sharma and Sh. Vivek Sharma have been granted bail under Section 438 of Cr.P.C. by the court of Ms. Kiran Gupta, Learned ASJ, North-West district, Rohini Courts vide orders dated 19.01.2021 and 08.04.2021.

5. However, the bail application is opposed by the Learned APP for the State assisted by learned counsel for the complainant. It is submitted that the petitioner has failed to honour the settlement arrived between the parties vide Panchayatnama dated 28.09.2019 and the bail application of the petitioner was dismissed by the learned trial court considering the nature of allegations against the petitioner.

4. The petitioner was granted interim protection by this court vide order dated 19.04.2021. The petitioner has already joined the investigation and Charge-sheet has already been filed. The other co-accused have already been released on anticipatory bail. Considering the facts and circumstances of the case, in the event of arrest, the petitioner be admitted to bail subject to



furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one surety in the like amount to the satisfaction of the Investigating Officer/SHO of the concerned Police Station/learned trial court.

The application is accordingly disposed of.

A copy of this order be forwarded to learned Trial Court for information and compliance.

(ANOOP KUMAR MENDIRATTA)
JUDGE

April 20, 2022/R

