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

+ BAIL APPLN. 1670/2022

2 SURINDER DHALL & ANR. Petitioners

Through: Mr. Jatan Singh, Mr. Tushar Lamba,
Mr. Siddharth Singh, Mr. P.S. Rana,
Mr. Rajesh Arora and Mr. Harshit
Aggarwal, Advocates.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Raguvender Verma, APP for
State and ASI Chandernal, PS Pahar
Ganj.
Mr. Bharat Dubey, Ms. Shubhlaxmi
Dubey, Ms. Taniya Kapoor and Mr.
Rohit B., Advocate for R-2.

+ BAIL APPLN. 1671/2022

3 PRATIBHA DHALL Petitioner

Through: Mr. Jatan Singh, Mr. Tushar Lamba,
Mr. Siddharth Singh, Mr. P.S. Rana,
Mr. Rajesh Arora and Mr. Harshit
Aggarwal, Advocates.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Raguvender Verma, APP for
State and ASI Chandernal, PS Pahar
Ganj.
Mr. Bharat Dubey, Ms. Shubhlaxmi
Dubey, Ms. Taniya Kapoor and Mr.
Rohit B., Advocate for R-2.

+ BAIL APPLN. 1672/2022

Neutral Citation Number : 2023:DHC:2807

4 SACHIN DHALL

..... Petitioner

Through: Mr. Jatan Singh, Mr. Tushar Lamba,
Mr. Siddharth Singh, Mr. P.S. Rana,
Mr. Rajesh Arora and Mr. Harshit
Aggarwal, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Raguvender Verma, APP for
State and ASI Chanderpah, PS Pahar
Ganj.
Mr. Bharat Dubey, Ms. Shubhlaxmi
Dubey, Ms. Taniya Kapoor and Mr.
Rohit B., Advocate for R-2.

+ BAIL APPLN. 1738/2022

5 NITIN DHALL

..... Petitioner

Through: Mr. Jatan Singh, Mr. Tushar Lamba,
Mr. Siddharth Singh, Mr. P.S. Rana,
Mr. Rajesh Arora and Mr. Harshit
Aggarwal, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Raguvender Verma, APP for
State and ASI Chanderpah, PS Pahar
Ganj.
Mr. Bharat Dubey, Ms. Shubhlaxmi
Dubey, Ms. Taniya Kapoor and Mr.
Rohit B., Advocate for R-2.

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Date of Decision: 20.04.2023.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

BAIL APPLN. 1670/2022, 1671/2022, 1672/2022 & 1738/2022

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DINESH KUMAR SHARMA, J. (Oral)

1. These are the petitions seeking anticipatory bail in Case FIR No. 205/2022 under Section 498A/406/354/323/506/509/34 IPC registered at P.S Pahar Ganj.
2. The petitioners were granted interim protection by this court vide order dated 01.06.2022.
3. It is pertinent to mention here that the petitioner Nitin Dhall, husband of respondent/complainant had undertaken to pay the school fees of the child in terms of order dated 23.03.2022 in CRL.REV. 207/2022, passed by the court of learned ASJ, Tis Hazari, Central District.
4. Learned counsel for the petitioners undertake that the petitioner Nitin Dhall will continue to pay total increased school fees subject to the orders passed in the revision petition.
5. Learned APP has informed that charge-sheet in this case has already been filed and since the charge-sheet has been filed the present petitions have become infructuous and the petitioners may move an appropriate application before the learned Trial Court.
6. Learned counsel for complainant has also submitted that there is an outstanding of Rupees Seven Lakhs. However, Sh. Jatan Singh, learned counsel for petitioner submits that entire amount has already been paid.
7. Similar issue was considered by this court in Bail Application No. 4286/2021 titled as *Balan Mani vs. State NCT of Delhi* and this court relying upon the judgment in *Bharat Chaudhary vs. State of Bihar* [Crl.A. No. 1250/2003] and in *Sushila Aggarwal and Others vs. State (NCT of Delhi)* [AIR 2020 SC 831] and after taking into account the fact that charge-sheet

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has already been filed and the state did not seek custody of the accused, this court confirmed the interim order and made it absolute.

8. Taking into account totality of the fact, the petitioners are admitted to court bail in Case FIR No. 205/2022 under Section 498A/406/354/323/506/509/34 IPC registered at P.S Pahar Ganj on furnishing a personal bond of Rs. 25,000/- with two sureties of the like amount to the satisfaction of the learned Trial Court subject to the following conditions:

a) The applicant will inform the Investigation Officer as well as the Trial Court in the event of any change in his address.

b) The applicant will not leave the country without the permission of the Trial Court.

c) The applicant will give his functional mobile/ telephone numbers to the IO and ensure that he is reachable on the said mobile/ telephone numbers.

d) The applicant will attend each and every date of hearing before the Trial Court, except where exempted by the Trial Court in exceptional circumstances.

9. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

APRIL 20, 2023/AR