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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 87/2023**
SACHINPetitioner

Through: Mr. Sahid Alim and Shah Rukh Khan,
and Ms. Jyoti Bisht, Advocates.

versus

STATE THROUGH SHO PS SONIA VIHARRespondent
Through: Mr. Amit Ahlawat, APP for the State
Mr. Anshu Davar, Advocate for
complainant.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
12.11.2024

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1. Pursuant to the previous orders of this Court, it is stated that the FSL Report, relating to the WhatsApp message allegedly sent by the deceased to the petitioner/husband, is still awaited.
- a. It is noted that in this application for anticipatory bail, the petitioner has been on interim protection, granted by the Court, since 10th January 2023.
2. APP for the State states that, though the petitioner had joined the investigation, he has not cooperated.
3. Counsel for the petitioner/husband states that even *prima facie*, the suicide note which was sent through WhatsApp, is a dying declaration of the deceased, where she states that she is ending her life on her own wish, without any pressure, and exonerates both her in-laws, as well as her parents (*sasural and maika*).



4. Counsel for the petitioner/husband further contends that he has already provided the mobile phone, to which, APP for State, states that chats have been extracted from the said mobile phone, shared between the petitioner and the deceased, that are of the same date as the incident.
5. Counsel for the petitioner further points out that, death had taken place at the maternal home of the deceased, and then, after receiving the communication, he had informed the father-in-law of the deceased, about the same but he did not take any steps.
6. Notwithstanding these contentions, the charge sheet is expected to be filed pursuant to the FSL Report, which has been requisitioned along with WhatsApp record.
7. The petitioner has been on interim protection for more than a year and half; there is no allegation that he has attempted to influence or intimidate the victim's family in any manner.
8. In light of the above, the Court is of the considered opinion that subject to joining and cooperating in the matter, the Court is of the considered opinion that petitioner is entitled to anticipatory bail.
9. Consequently, in the event of arrest the petitioner be released on bail on furnishing a personal bond in the sum of Rs. 25, 000/- with one surety of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned, further subject to the condition that the petitioner will join investigation as and when directed and not influence any witness/complainant/victim or tamper with evidence of the case.
10. If there is any attempt made by the petitioner, to influence the investigation or to intimidate or pressurize the investigation or the victim's family members, that may be a ground for the State to seek cancellation of the



anticipatory bail.

11. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

12. ‘*dasti*’

13. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 12, 2024/RK

Click here to check corrigendum, if any