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

+ **BAIL APPLN. 1857/2021**

DR. SUDHAKAR ARYA

..... Petitioner

Through: Mr. Sandeep Bhalla, Advocate with
petitioner in person.

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Laksh Khanna, APP for State
with Inspector Mehrab Alam PS
EOW, New Delhi.

Mr. Harsh Khanna, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

07.03.2024

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1. By way of present bail application filed under Section 439 read with Section 482 Cr.P.C., the applicant seeks regular bail in FIR No. 0229/2018 registered under Sections 420/467/468/471/120B/34 IPC at Police Station Netaji Subhash Palace, EOW, New Delhi.
2. Learned counsel for the applicant states that during the pendency of this bail application, after noting the facts and circumstances of the case, the applicant was directed to be released on interim bail vide order dated 03.06.2021 which continues to operate till date. He further submits that the parties are husband and wife. They were referred to *Samadhan*, Delhi High Court Mediation & Conciliation Centre where they had reached an interim maintenance agreement on 12.11.2021.
3. Learned counsel for the parties state that the parties have also agreed



to file for divorce by mutual consent immediately. The applicant who is present in the Court also states that the necessary steps would be taken within four weeks from today. Learned counsel for the complaint also assures complainant's cooperation in this regard. He further submits that a sum of Rs.5 lacs is due to be paid by the applicant to the complainant under the settlement and assures that the same will be paid at the time of divorce. The petitioner who is present in the Court undertakes to perform the aforesaid obligation. The statement is taken on record and the petitioner is made bound by the same.

4. Learned counsel for the complainant draws the attention of the Court to the order dated 16.10.2023 whereby factum of alleged sending of messages by the applicant to the complainant was noted. The applicant, without prejudice to his rights, assures that no such messages will be sent to the complainant in future. The statement made by the petitioner as well as made on behalf of the respondent is accepted and is taken on record.

5. At this stage, Learned APP for the State also informs that the chargesheet stands filed.

6. Considering the totality of the facts and circumstances, the interim bail granted to the applicant on 03.06.2021 is made absolute on the same terms and conditions.

7. The bail application is disposed of in the above terms.

8. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.

9. Copy of the order be uploaded on the website forthwith.

10. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the



trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

MARCH 7, 2024/rd