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

+ **BAIL APPLN. 1899/2024**

JAGENDER SHARMA

..... Petitioner

Through: Mr Gautam Sharma and Mr Vasu
Bhushan, Advocates.

versus

STATE NCT OF DELHI

..... Respondent

Through: Ms Meenakshi Dahiya, APP for the
State with Insp. Amit Chaudhary, PS
Kishangarh.
Mr K. S. Jaggi, Advocate for
respondent.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

29.05.2024

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1. The present petition has been filed under Section 439 CrPC read with Section 482 CrPC seeking regular bail in connection with FIR No.0376/2023 under Sections 304B/498A/34 IPC registered at PS Kishangarh.
2. The case of the prosecution is that on 08.10.2023, ASI received a call informing that a lady has committed suicide in her room. The room was found locked from inside. This led to the registration of aforesaid FIR.
3. Learned counsel for the petitioner submits that on the day when the wife of the petitioner committed suicide in Delhi the petitioner was at his native village in District Moradabad (U.P) and this fact is supported by the CDR filed along with the chargesheet by the Investigating Officer and also



supported by the testimony of one of the witnesses viz., the brother of the deceased, who was examined as PW-2. He further submits that the mother of the petitioner has already been enlarged on bail by this Court vide order dated 17.05.2024 passed in BAIL APPLN. 1272/2024. This position is not disputed by the learned APP appearing on behalf of the State.

4. The father of the deceased is present in the Court and he states that he does not have any objection in case the petitioner is enlarged on bail.

5. It is also not in dispute that the petitioner does not have any criminal record nor it is the case of the prosecution in the status report that the petitioner is a flight risk.

6. Considering the aforesaid circumstances, this Court is of the view that the petitioner is entitled to grant of regular bail. Accordingly, the petitioner is admitted to regular bail subject to his furnishing Personal Bond in the sum of Rs. 25,000/- and a Surety Bond of the like amount, subject to the satisfaction of the learned Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-

(a) Petitioner/applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.

(b) Petitioner/applicant shall provide her mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the Investigating Officer concerned. The mobile location be kept on at all times.



(c) Petitioner/applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with the, witnesses or any family members of the witnesses.

7. It is made clear that the observations made herein above are only for the purpose of considering the bail application and the same shall not be deemed to be an expression of opinion on the merits of the case.
8. The petition stands disposed of.
9. Copy of the order be forwarded to the concerned Jail Superintendent for information and necessary compliance.
10. Order be uploaded on the website of this Court.
11. Order *dasti* under signatures of the Court Master.

VIKAS MAHAJAN, J

MAY 29, 2024
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