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

+ **BAIL APPLN. 2195/2024**

POOJA

..... Petitioner

Through Mr. Sumit Choudhary, Mr. Anuj Garg, Mr. Sheesh Pal Singh Shokeen, Mr. Sanjay Kapur, Mr. Sanjay Kapur, Advs.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through Mr. Satish Kumar, APP for the State with IO/ASI Randhir Singh, SI Lalit Kumar PS Binda pur
Mr. Rishipal Singh, Ms. Radha Rani, Mr. Sunil Tomar, Mr. Dinesh Kumar, Mr. Amarkant Vats, Advs. for complainant.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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01.07.2024

CRL.M.As. 18715-16/2024(Exemptions)

Exemptions are allowed subject to all just exceptions.

BAIL APPLN. 2195/2024

1. The present application under Section 438 Cr.PC has been filed for grant of anticipatory bail in case FIR No. 0203/2024 dated 14.05.2023 under Sections 308/34 IPC which was dismissed by the Court of learned ASJ (FTSC), South West, Dwarka Courts vide order dated 05.06.2024.
2. The facts in brief are the FIR was registered by the complainant/victim



alleging therein that the applicant, who is the daughter-in-law on 29.04.2024 came to his house along with her brother, mother and other relatives and severely beat him. The perusal of the FIR also indicates that there had been matrimonial disputes between the applicant and her husband. In matrimonial disputes some kind of compromise had also been recorded.

3. Issue notice.
4. Learned APP for the state has accepted the notice.
5. Learned counsel for the complainant has accepted the notice.
6. Learned counsel for the applicant submits that two co-accused persons i.e. Bunty (brother of the applicant) and Nisha (mother of the applicant) have already been granted regular bail.
7. Learned counsel for the applicant submits that it is a matrimonial dispute and ultimately the matter is to be resolved between the parties.
8. Learned APP for the State and learned counsel for the complainant have opposed the bail application on the ground that the applicant had not been joining the investigation and NBWs have already been issued.
9. Learned APP for the State submits that in the present case, the applicant had given merciless beating to the complainant who is a senior citizen and therefore she is not entitled for anticipatory bail.
10. Learned counsel for the complainant submits that injuries were grievous and dangerous in nature and the incident was recorded in the CCTV footage.
11. As discussed above, it was a matrimonial dispute which unfortunately took a very serious turn and allegedly the applicant along with her



members of the family gave beatings to the complainant. The perusal for the FIR indicates that victim was allegedly beaten with the hand and fist blows.

12. I consider that taking into account the totality of the facts and circumstances, the applicant is admitted to anticipatory bail on furnishing a personal bond of Rs.10,000/- with a surety of the like amount subject to the satisfaction of the learned MM/Trial Court subject to the following conditions;

- a. the applicant shall join, cooperate in the investigation and appear before the Investigating Officer of the case as and when required;
- b. in case the applicant fails to join the investigation, the State shall at liberty to move appropriate application;
- c. the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- d. the applicant shall provide her mobile number(s) to the Investigating Officer and keep it operational at all times;
- e. In case of change of residential address and/or mobile number, the petitioner shall intimate the same to the Investigating Officer/Court concerned by way of an affidavit.

13. In view of the above, the present petition stands disposed of.

DINESH KUMAR SHARMA, J

JULY 1, 2024/Pallavi