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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3762/2023**

POOJA @ HARI BAI

..... Petitioner

Through: Mr. Rajbir Singh Sagar and Mr. Rajiv
Pratap Singh, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Laksh Khanna, APP for State.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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12.03.2024

1. By way of present bail application filed under Section 439 Cr.P.C., the applicant seeks regular bail in FIR No. 112/2023 registered under Sections 392/394/411/454/201/120-B IPC at P.S. Vivek Vihar, Delhi.
2. Learned counsel for the applicant states that in the present case investigation is complete and charge-sheet has also been filed. Further, the complainant has already been examined. Learned counsel submits that the applicant is in custody since 21.03.2023 and is not involved in any other case. Bail is also sought on the ground that the applicant has three minor children to look after and that she was only working as a maid in the said house.
3. On the other hand, learned APP for the State has opposed the bail application by contending that the applicant alongwith two other co-accused persons has committed the offence. He further submits that it is at the instance of the present applicant, that a sum of Rs.3.5 lacs and jewellery



articles were recovered. He however confirms that the applicant is not involved in any other case and the only material witness i.e. the complainant has already been examined.

4. At this stage, learned counsel for the applicant states that insofar as Section 394 IPC is concerned, the allegations are attributed to the other co-accused and not the present applicant.

5. I have heard the learned counsels for the parties and gone through the material available on record.

6. Status Report as well as nominal roll of the applicant have been placed on record which indicate that the applicant is not involved in any other case and is in custody since 21.03.2023. Considering that the complainant stands examined and the applicant is not found involved in any other case, it is directed that the applicant be released on regular bail subject to her furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/ concerned Court/Duty M.M. and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide her mobile number to the Investigating Officer on which she will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.



- v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.
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.

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MANOJ KUMAR OHRI, J

MARCH 12, 2024

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