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

+ **CRL.M.C. 888/2017**

SUNIL KUMAR SINGH

.....Petitioner

Through: Mr. Yashvir Kumar, Mr. O. P. Sharma, Ms. Garima Tyagi, Mr. Azhar Pasha, Ms. Poonam Saini, Mr. Vinod Kumar and Mr. Nishant Varshney, Advocates.

versus

STATE AND ANOTHER

.....Respondents

Through: Mr. – APP for State.
Ms. Shikha Kaushik, Advocate
(Through VC) for R-2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

29.07.2024

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1. This is a petition under Section 439(2) read with Section 482 Cr.P.C seeking cancellation of bail granted to the respondent no.2 *vide* order dated 14th November 2014 passed by the learned Additional Session Judge in S. C. No. 125/2014 in FIR No. 345/2014.
2. The petitioner in the present case is brother of the deceased wife, to whom respondent no.2 was married. Both, the deceased and respondent no.2, were doctors.
3. It is noted in the bail order that there are testimonies of the witnesses



that at the time of the incident, accused was not in the room, where his wife was sleeping. According to prosecution, the deceased committed suicide. It is also noted that the charges are framed and prosecution has to proceed further.

4. Counsel for petitioner states that there are allegations that respondent no.2 threatened the complainant. For this, he points to a complaint dated 06th December 2016, P.S. Mehrauli with regard to a telephonic conversation.

5. However, counsel for respondent no.2 points out that they have got the enquiry report through RTI in this regard. The said enquiry report states with regard to the complaint of threatening family members by the accused, no nature of threat was mentioned and no action was required. RTI was filed by the petitioner and is appended along with this petition. There is no other incident on record of any threat to the witness or to the complainant, ever since the matter has been pending i.e. 2017.

6. In view of aforesaid, the petition is dismissed.

ANISH DAYAL, J

JULY 29, 2024/ssc