
(2018) 09 DEL CK 0289
In the Delhi High Court
Case No : Bail Appln. 1169 Of 2018

Krishna

APPELLANT

Vs

State Of Nct Of Delhi

RESPONDENT

Date of Decision : 24-09-2018

Acts Referred:

Indian Penal Code, 1860 — Section 304B, 498A

Citation : (2018) 09 DEL CK 0289

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Final Decision : Diposed Off

Judgement

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.72/2018 under Section 498A/304B of the IPC, P.S. Munirka.
2. The allegation in the FIR against the petitioner, who is the mother-in-law of the deceased, is that she used to harass the deceased. The case of the prosecution is inter alia based on an alleged suicide note allegedly recovered from the house of the deceased.Â
3. Learned counsel for the petitioner submits that the suicide note as well as the recovery of the suicide note is suspect, as the original suicide note is not available and was not found by the crime team, which had searched the house. The suicide note is alleged to have been found by the sister of the deceased and handed over to the IO on 16.02.2018 i.e. two days after the incident. She is alleged to have found the suicide note in the same one roomed house.Â
4. Forensic science laboratory has given an opinion based on the photocopy of

the suicide note, which was produced. IO who is present in Court submits that the original suicide note is now not available on record and seems to have been misplaced and appropriate enquiry has been ordered by the concerned DCP.

5. Petitioner was granted interim protection by order dated 28.05.2018. Learned APP submits that petitioner did join investigation. Investigation is complete and charge sheet has been filed.

6. Without commenting on the merits of the case and keeping in view the facts and circumstances of the case, I am of the view that petitioner has been able to make out a case for grant of anticipatory bail.Â

7. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail on her furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. Petitioner shall not do anything that may prejudice either the trial or the prosecution witnesses.Â Petitioner shall not leave the country without the permission of the Trial Court.

8. The Petition is disposed of in the above terms.

9. Order Dasti under signatures of the Court Master Â