
(2018) 07 DEL CK 0584
In the Delhi High Court
Case No : BAIL APPLN.1245 OF 2018

Ms. Rakhi Devi

APPELLANT

Vs

State (Nct Of Delhi)

RESPONDENT

Date of Decision : 18-07-2018

Acts Referred:

Indian Penal Code 1860 — Section 120B, 195A, 506
Code of Criminal Procedure 1973 — Section 437

Citation : (2018) 07 DEL CK 0584

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Final Decision : Diposed Off

Judgement

SANJEEV SACHDEVA, J

1. Petitioner seeks regular bail in FIR No.30 of 2018, under Sections 195A/506/120-B IPC, registered at Police Station: Aman Vihar.Â

2. The FIR was lodged on the complaint made by the daughter of the petitioner, who had alleged that the petitioner along with her husband i.e. her

parents, were forcing her to give false testimony in a FIR lodged on her complaint inter-alia under Sections 376/363 IPC and they had received money for the same.Â

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and the money which was referred to by the complainant

was received on account of a sale transaction of an immovable property. He further submits that in terms of Section 437 Cr.P.C., the petitioner being

a woman would be entitled to be considered to be released on bail.Â

4. Learned counsel further submits that the complainant had been shifted to a children home from where, the petitioner has learnt, she has run away.

He further submits that the petitioner has two other children, who are aged 10 & 13 years respectively and on account of the fact that the petitioner

has been incarcerated, they have been neglected and have not been attending their school for the last 3 or 4 months.Â

5. Learned APP for the State, under instructions from the IO, submits that the factum of two other children have been verified and they are living with

their grandmother, however the IO has informed that they have not been attending school. She further submits that the complainant was sent to a

children home, however presently her whereabouts are not known.Â Â

6. Without commenting on the merits of the case, on perusal of the records of the case and keeping in view the provisions of Section 437 Cr.P.C. as

also keeping in view the plea that petitioner has two other minor children to be taken care of, I am of the view that petitioner is entitled to be enlarged

on regular bail subject to the petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the

Trial Court, if not required in any other case. Petitioner shall not do anything which may prejudice the trial or the prosecution witnesses. Petitioner

shall not leave the country without the permission of the Trial Court.

7. Petition is disposed of in the above terms.

8. Order Dasti under the signature of the Court Master.