
(2018) 12 DEL CK 0264
In the Delhi High Court
Case No : Bail Application No. 933 Of 2018

Najreen	Vs	APPELLANT
State (Nct Of Delhi)		RESPONDENT

Date of Decision : 18-12-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 304B, 498A

Citation : (2018) 12 DEL CK 0264

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Gaurav Kochar, Dollar Jain, Nitin Arora, Hirein Dahiya

Final Decision : Disposed Off

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks anticipatory bail in FIR No. 101/2018 under Sections 498-A/304-B/34 of the Indian Penal Code, 1860 registered at Police Station Khajuri Khas.

2. Petitioner is sister of husband of the deceased. Learned counsel for the petitioner submits that petitioner has been living separately.

There is no complaint by the family of the deceased that there was ever any complaint qua the petitioner having demanded any dowry or harassed the deceased for dowry.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He submits that there is no evidence to substantiate that the deceased died on account of the circumstances other than natural. He further submits that there were no visible injury on the body of the deceased and the allegation that she had drunk poison is also unsubstantiated.

4. Status report has been filed and the same is taken on record. As per the MLC on record, there was no visible injury found on the body of the deceased. Further

opinion has been received from the Department of Forensic Medicines, University College of Medical Sciences at GTB Hospital. It shows that the stomach sample (Viscera) recovered from the body of the deceased tested negative for poison. Further opinion is that the cause of death is respiratory failure due to pulmonary oedema.

5. Without commenting on the merits of the case and keeping in view of the totality of the facts and circumstances, I am satisfied that the petitioner has made out a case for grant of anticipatory bail.

6. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail on petitioner furnishing a bail bond in the sum of Rs. 15,000/- 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.

7. The petition is disposed of in the above terms.

8. Order Dasti under signatures of the Court Master.