

Equivalent citations: I (2008) DMC 77

Bench: S N Dhingra

Kamlesh vs State (Nct Of Delhi) on 8/10/2007

ORDER

Shiv Narayan Dhingra, J.

1. This application under Section 438, Cr.P.C. for grant of anticipatory bail has been made by the applicant, who is sister-in-law of the deceased. She has been booked under Sections 498A/304B, IPC. The couple in this case was living at Khera Garhi, Gaon Khera Kalan, Delhi while sister-in-law along with her family was living in Murthal (Haryana). She was married for 23 years and was living separately. The allegation against the sister-in-law/ applicant is that she used to instigate the husband of the deceased. A perusal of the complaint lodged by the father of the deceased gives an impression as if the present applicant was living in the house of the deceased itself. One allegation made in complaint is that an amount of Rs. 50,000/- was handed over by the parents of the girl to sister-in-law and mother-in-law. A general allegation has been made that deceased used to be physically and mentally tortured by husband, mother-in-law and sister-in-law. It is nowhere stated in the complaint that sister-in-law used to live separate and used to come to the house of the deceased from her matrimonial home. During arguments of bail application, the State Counsel stated that though the sister-in-law was living separate but she used to visit the matrimonial home of the deceased.

2. Looking into the fact that the applicant was a married woman and living far away from the house of the deceased and her husband and she was having a family and children I consider it is a fit case for grant of anticipatory bail. It is directed that in case of arrest, the applicant be released on her executing personal bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the IO/SHO concerned.

The application stands disposed of.