

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2858/21

FIR No. 93/2021

U/s 498A/406/34 IPC

P.S. Maurice Nagar

State Vs. Ajit Mehta

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application u/s 438 Cr.P.C. has been filed on behalf of accused Ajit Mehta for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.  
Sh. Navin Kumar, Ld. Counsel for the applicant.  
IO/WSI Parphulla present alongwith complainant.  
Report of IO received.

**ORDER ON ANTICIPATORY BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant / accused submitted that applicant is not the husband of the complainant and that the marriage of the husband and complainant was love cum arrange marriage, therefore, question of dowry did not arise. It was submitted that the husband and the

complainant left the home of the father-in-law in April, 2016 after altercation between the father-in-law and husband of the complainant. They left the home of the father-in-law after two days of altercation with their goods and belongings. It was further submitted that parents of the husband have de-barred / disowned the husband from all movable and immovable properties vide issuance of public notice which was published in Hindi daily newspaper Virat Vaibhav dated 12.03.2019. It has also been pointed out that son of the complainant and the husband is under going regular treatment and attending speech therapy.

3. *Per contra*, Ld. Addl. PP for the State alongwith IO vehemently opposed the present anticipatory bail application as per law.
4. Submission heard and record perused.
5. In matters pertaining to matrimonial dispute, it would be apposite to refer to the following extract of ***Udit Raj Poonia Vs. State ( Government of NCT of Delhi) 2017 (1) DLT (Cri) 805 :-***

*“23. This Court is of the considered opinion that in matters of matrimonial cases, the Investigating Officer is required to first make out whether any article is to be recovered. In case, he is of the view that any article is to be recovered then he is to decide whether the custodial interrogation of any of the accused is required for the purpose of recovery of article. Without reaching to the conclusion with regard to recovery of article, whether it is stridhan article or any other article, the Investigating Officer is not to arrest the person for the recovery of the same.*

*24. Similarly, the bail application ought not be rejected for setting the scores between the parties.*

*25. As per the discussions made above, this Court view that :*

***\*Provisions of Section 41 Cr.P.C. and the guidelines***

*issued vide Standing Order Nos. 330/2008 and 444/2016 are mandatory in nature and must be complied with*

*\*The DCP/ACP shall ensure that the alleged articles are in existence and the recovery/seizure could take place without the arrest, in other words, that arrest is the only mode in the facts and circumstances to effect the recovery before granting the sanction to arrest.*

*\*Similarly, the Court while considering the bail under Section 437, 438, 439 Cr.P.C. shall refuse the bail in exceptional circumstances.*

*\* The exceptional circumstances may be assessed by the court concerned and the bail application must be decided expeditiously.*

*\*In the matrimonial cases bail is a rule and refusal is an exception.”*

6. Regarding the issue of cooperation with the investigating agencies, it would be apposite to reproduce the following extracts of ***Bhadresh Bipin Bhai Sheth Vs. State of Gujarat & Anr., (2016) 1 Supreme Court Cases 152:-***

*“The principles for grant of anticipatory bail can be summarised as follows:-*

*(i).....*

*(ii).....*

*(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and*

*disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.....”*

7. Reply of the IO reveals that applicant has been joining investigation and cooperating with the investigation. Thus, this Court does not deem it fit to allow apprehension of the applicant by the police at this juncture, so long as the applicant cooperates and joins the investigation as and when called for. Accordingly, applicant is granted anticipatory bail on the following conditions:-
- a) In the event of arrest, applicant shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the SHO/IO.
  - b) The applicant is directed not to leave the country without intimation to the IO.
  - c) **The applicant shall join investigation as and when called for and shall return all the dowry articles as per list attached with the reply of the IO within a week from today.**
  - d) The applicant is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.
  - e) The applicant shall give his address to the IO and if he changes the address he shall intimate the same to the IO.
  - f) The applicant shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the applicant is trying to contact him /

her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.

8. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the anticipatory bail application stands disposed off.
9. Copy of the order be uploaded on the website of the District Court.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2854/21  
FIR No. 93/2021  
U/s 498A/406/34 IPC  
P.S. Maurice Nagar  
State Vs. Arvind Kumar

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application u/s 438 Cr.P.C. has been filed on behalf of accused Arvind Kumar for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.  
Sh. Navin Kumar, Ld. Counsel for the applicant.  
IO/WSI Parphulla present alongwith complainant.  
Report of IO received.

**ORDER ON ANTICIPATORY BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant / accused submitted that applicant is not the husband of the complainant and that the marriage of the husband and complainant was love cum arrange marriage, therefore, question of dowry did not arise. It was submitted that the husband and the

complainant left the home of the father-in-law in April, 2016 after altercation between the father-in-law and husband of the complainant. They left the home of the father-in-law after two days of altercation with their goods and belongings. It was further submitted that parents of the husband have de-barred / disowned the husband from all movable and immovable properties vide issuance of public notice which was published in Hindi daily newspaper Virat Vaibhav dated 12.03.2019. It has also been pointed out that son of the complainant and the husband is under going regular treatment and attending speech therapy.

3. *Per contra*, Ld. Addl. PP for the State alongwith IO vehemently opposed the present anticipatory bail application as per law.
4. Submission heard and record perused.
5. In matters pertaining to matrimonial dispute, it would be apposite to refer to the following extract of ***Udit Raj Poonia Vs. State ( Government of NCT of Delhi) 2017 (1) DLT (Cri) 805 :-***

*“23. This Court is of the considered opinion that in matters of matrimonial cases, the Investigating Officer is required to first make out whether any article is to be recovered. In case, he is of the view that any article is to be recovered then he is to decide whether the custodial interrogation of any of the accused is required for the purpose of recovery of article. Without reaching to the conclusion with regard to recovery of article, whether it is stridhan article or any other article, the Investigating Officer is not to arrest the person for the recovery of the same.*

*24. Similarly, the bail application ought not be rejected for setting the scores between the parties.*

*25. As per the discussions made above, this Court view that :*

***\*Provisions of Section 41 Cr.P.C. and the guidelines***

*issued vide Standing Order Nos. 330/2008 and 444/2016 are mandatory in nature and must be complied with*

*\*The DCP/ACP shall ensure that the alleged articles are in existence and the recovery/seizure could take place without the arrest, in other words, that arrest is the only mode in the facts and circumstances to effect the recovery before granting the sanction to arrest.*

*\*Similarly, the Court while considering the bail under Section 437, 438, 439 Cr.P.C. shall refuse the bail in exceptional circumstances.*

*\* The exceptional circumstances may be assessed by the court concerned and the bail application must be decided expeditiously.*

*\*In the matrimonial cases bail is a rule and refusal is an exception.”*

6. Regarding the issue of cooperation with the investigating agencies, it would be apposite to reproduce the following extracts of ***Bhadresh Bipin Bhai Sheth Vs. State of Gujarat & Anr., (2016) 1 Supreme Court Cases 152:-***

*“The principles for grant of anticipatory bail can be summarised as follows:-*

*(i).....*

*(ii).....*

*(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and*



*disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.....”*

7. Reply of the IO reveals that applicant has been joining investigation and cooperating with the investigation. Thus, this Court does not deem it fit to allow apprehension of the applicant by the police at this juncture, so long as the applicant cooperates and joins the investigation as and when called for. Accordingly, applicant is granted anticipatory bail on the following conditions:-
- a) In the event of arrest, applicant shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the SHO/IO.
  - b) The applicant is directed not to leave the country without intimation to the IO.
  - c) **The applicant shall join investigation as and when called for and shall return all the dowry articles as per list attached with the reply of the IO within a week from today.**
  - d) The applicant is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.
  - e) The applicant shall give his address to the IO and if he changes the address he shall intimate the same to the IO.
  - f) The applicant shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the applicant is trying to contact him /

her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.

8. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the anticipatory bail application stands disposed off.
9. Copy of the order be uploaded on the website of the District Court.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2856/21  
FIR No. 93/2021  
U/s 498A/406/34 IPC  
P.S. Maurice Nagar  
State Vs. Madan Kumar Mehta

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application u/s 438 Cr.P.C. has been filed on behalf of accused Madan Kumar Mehta for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.  
Sh. Navin Kumar, Ld. Counsel for the applicant.  
IO/WSI Parphulla present alongwith complainant.  
Report of IO received.

**ORDER ON ANTICIPATORY BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant / accused submitted that applicant is not the husband of the complainant and that the marriage of the husband and complainant was love cum arrange marriage, therefore, question of dowry did not arise. It was submitted that the husband and the

complainant left the home of the father-in-law in April, 2016 after altercation between the father-in-law and husband of the complainant. They left the home of the father-in-law after two days of altercation with their goods and belongings. It was further submitted that parents of the husband have de-barred / disowned the husband from all movable and immovable properties vide issuance of public notice which was published in Hindi daily newspaper Virat Vaibhav dated 12.03.2019. It has also been pointed out that son of the complainant and the husband is under going regular treatment and attending speech therapy.

3. *Per contra*, Ld. Addl. PP for the State alongwith IO vehemently opposed the present anticipatory bail application as per law.
4. Submission heard and record perused.
5. In matters pertaining to matrimonial dispute, it would be apposite to refer to the following extract of ***Udit Raj Poonia Vs. State ( Government of NCT of Delhi) 2017 (1) DLT (Cri) 805 :-***

*“23. This Court is of the considered opinion that in matters of matrimonial cases, the Investigating Officer is required to first make out whether any article is to be recovered. In case, he is of the view that any article is to be recovered then he is to decide whether the custodial interrogation of any of the accused is required for the purpose of recovery of article. Without reaching to the conclusion with regard to recovery of article, whether it is stridhan article or any other article, the Investigating Officer is not to arrest the person for the recovery of the same.*

*24. Similarly, the bail application ought not be rejected for setting the scores between the parties.*

*25. As per the discussions made above, this Court view that :*

***\*Provisions of Section 41 Cr.P.C. and the guidelines***

*issued vide Standing Order Nos. 330/2008 and 444/2016 are mandatory in nature and must be complied with*

*\*The DCP/ACP shall ensure that the alleged articles are in existence and the recovery/seizure could take place without the arrest, in other words, that arrest is the only mode in the facts and circumstances to effect the recovery before granting the sanction to arrest.*

*\*Similarly, the Court while considering the bail under Section 437, 438, 439 Cr.P.C. shall refuse the bail in exceptional circumstances.*

*\* The exceptional circumstances may be assessed by the court concerned and the bail application must be decided expeditiously.*

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*“The principles for grant of anticipatory bail can be summarised as follows:-*

*(i).....*

*(ii).....*

*(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and*

*disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.....”*

7. Reply of the IO reveals that applicant has been joining investigation and cooperating with the investigation. Thus, this Court does not deem it fit to allow apprehension of the applicant by the police at this juncture, so long as the applicant cooperates and joins the investigation as and when called for. Accordingly, applicant is granted anticipatory bail on the following conditions:-
- a) In the event of arrest, applicant shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the SHO/IO.
  - b) The applicant is directed not to leave the country without intimation to the IO.
  - c) **The applicant shall join investigation as and when called for and shall return all the dowry articles as per list attached with the reply of the IO within a week from today.**
  - d) The applicant is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.
  - e) The applicant shall give his address to the IO and if he changes the address he shall intimate the same to the IO.
  - f) The applicant shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the applicant is trying to contact him /

her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.

8. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the anticipatory bail application stands disposed off.
9. Copy of the order be uploaded on the website of the District Court.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2855/21

FIR No. 93/2021

U/s 498A/406/34 IPC

P.S. Maurice Nagar

State Vs. Rajni Mehta

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application u/s 438 Cr.P.C. has been filed on behalf of accused Rajni Mehta for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.  
Sh. Navin Kumar, Ld. Counsel for the applicant.  
IO/WSI Parphulla present alongwith complainant.  
Report of IO received.

**ORDER ON ANTICIPATORY BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant / accused submitted that applicant is mother-in-law of the complainant and that the marriage of the husband and complainant was love cum arrange marriage, therefore, question of dowry did not arise. It was submitted that the husband and the



complainant left the home of the father-in-law in April, 2016 after altercation between the father-in-law and husband of the complainant. They left the home of the father-in-law after two days of altercation with their goods and belongings. It was further submitted that parents of the husband have de-barred / disowned the husband from all movable and immovable properties vide issuance of public notice which was published in Hindi daily newspaper Virat Vaibhav dated 12.03.2019. It has also been pointed out that son of the complainant and the husband is under going regular treatment and attending speech therapy.

3. *Per contra*, Ld. Addl. PP for the State alongwith IO vehemently opposed the present anticipatory bail application as per law.
4. Submission heard and record perused.
5. In matters pertaining to matrimonial dispute, it would be apposite to refer to the following extract of ***Udit Raj Poonia Vs. State ( Government of NCT of Delhi) 2017 (1) DLT (Cri) 805 :-***

*“23. This Court is of the considered opinion that in matters of matrimonial cases, the Investigating Officer is required to first make out whether any article is to be recovered. In case, he is of the view that any article is to be recovered then he is to decide whether the custodial interrogation of any of the accused is required for the purpose of recovery of article. Without reaching to the conclusion with regard to recovery of article, whether it is stridhan article or any other article, the Investigating Officer is not to arrest the person for the recovery of the same.*

*24. Similarly, the bail application ought not be rejected for setting the scores between the parties.*

*25. As per the discussions made above, this Court view that :*

***\*Provisions of Section 41 Cr.P.C. and the guidelines***

*issued vide Standing Order Nos. 330/2008 and 444/2016 are mandatory in nature and must be complied with*

*\*The DCP/ACP shall ensure that the alleged articles are in existence and the recovery/seizure could take place without the arrest, in other words, that arrest is the only mode in the facts and circumstances to effect the recovery before granting the sanction to arrest.*

*\*Similarly, the Court while considering the bail under Section 437, 438, 439 Cr.P.C. shall refuse the bail in exceptional circumstances.*

*\* The exceptional circumstances may be assessed by the court concerned and the bail application must be decided expeditiously.*

*\*In the matrimonial cases bail is a rule and refusal is an exception.”*

6. Regarding the issue of cooperation with the investigating agencies, it would be apposite to reproduce the following extracts of ***Bhadresh Bipin Bhai Sheth Vs. State of Gujarat & Anr., (2016) 1 Supreme Court Cases 152:-***

*“The principles for grant of anticipatory bail can be summarised as follows:-*

*(i).....*

*(ii).....*

*(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and*

*disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.....”*

7. Reply of the IO reveals that applicant has been joining investigation and cooperating with the investigation. Thus, this Court does not deem it fit to allow apprehension of the applicant by the police at this juncture, so long as the applicant cooperates and joins the investigation as and when called for. Accordingly, applicant is granted anticipatory bail on the following conditions:-

- a) In the event of arrest, applicant shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the SHO/IO.
- b) The applicant is directed not to leave the country without intimation to the IO.
- c) **The applicant shall join investigation as and when called for and shall return all the dowry articles as per list attached with the reply of the IO within a week from today.**
- d) The applicant is directed to give all her mobile numbers to the Investigating Officer and keep them operational at all times.
- e) The applicant shall give her address to the IO and if she changes the address she shall intimate the same to the IO.
- f) The applicant shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the applicant is trying to contact him /

her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.

8. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the anticipatory bail application stands disposed off.
9. Copy of the order be uploaded on the website of the District Court.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2860/21  
FIR No. 93/2021  
U/s 498A/406/34 IPC  
P.S. Maurice Nagar  
State Vs. Anjali Mehta

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application u/s 438 Cr.P.C. has been filed on behalf of accused Anjali Mehta for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.  
Sh. Navin Kumar, Ld. Counsel for the applicant.  
IO/WSI Parphulla present alongwith complainant.  
Report of IO received.

**ORDER ON ANTICIPATORY BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant / accused submitted that applicant is sister-in-law of the complainant and that the marriage of the husband and complainant was love cum arrange marriage, therefore, question of dowry did not arise. It was submitted that the husband and the

complainant left the home of the father-in-law in April, 2016 after altercation between the father-in-law and husband of the complainant. They left the home of the father-in-law after two days of altercation with their goods and belongings. It was further submitted that parents of the husband have de-barred / disowned the husband from all movable and immovable properties vide issuance of public notice which was published in Hindi daily newspaper Virat Vaibhav dated 12.03.2019. It has also been pointed out that son of the complainant and the husband is under going regular treatment and attending speech therapy.

3. *Per contra*, Ld. Addl. PP for the State alongwith IO vehemently opposed the present anticipatory bail application as per law.
4. Submission heard and record perused.
5. In matters pertaining to matrimonial dispute, it would be apposite to refer to the following extract of ***Udit Raj Poonia Vs. State ( Government of NCT of Delhi) 2017 (1) DLT (Cri) 805 :-***

*“23. This Court is of the considered opinion that in matters of matrimonial cases, the Investigating Officer is required to first make out whether any article is to be recovered. In case, he is of the view that any article is to be recovered then he is to decide whether the custodial interrogation of any of the accused is required for the purpose of recovery of article. Without reaching to the conclusion with regard to recovery of article, whether it is stridhan article or any other article, the Investigating Officer is not to arrest the person for the recovery of the same.*

*24. Similarly, the bail application ought not be rejected for setting the scores between the parties.*

*25. As per the discussions made above, this Court view that :*

***\*Provisions of Section 41 Cr.P.C. and the guidelines***

*issued vide Standing Order Nos. 330/2008 and 444/2016 are mandatory in nature and must be complied with*

*\*The DCP/ACP shall ensure that the alleged articles are in existence and the recovery/seizure could take place without the arrest, in other words, that arrest is the only mode in the facts and circumstances to effect the recovery before granting the sanction to arrest.*

*\*Similarly, the Court while considering the bail under Section 437, 438, 439 Cr.P.C. shall refused the bail in exceptional circumstances.*

*\* The exceptional circumstances may be assessed by the court concerned and the bail application must be decided expeditiously.*

*\*In the matrimonial cases bail is a rule and refusal is an exception.”*

6. Regarding the issue of cooperation with the investigating agencies, it would be apposite to reproduce the following extracts of ***Bhadresh Bipin Bhai Sheth Vs. State of Gujarat & Anr., (2016) 1 Supreme Court Cases 152:-***

*“The principles for grant of anticipatory bail can be summarised as follows:-*

*(i).....*

*(ii).....*

*(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and*

*disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.....”*

7. Reply of the IO reveals that applicant has been joining investigation and cooperating with the investigation. Thus, this Court does not deem it fit to allow apprehension of the applicant by the police at this juncture, so long as the applicant cooperates and joins the investigation as and when called for. Accordingly, applicant is granted anticipatory bail on the following conditions:-
- a) In the event of arrest, applicant shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the SHO/IO.
  - b) The applicant is directed not to leave the country without intimation to the IO.
  - c) **The applicant shall join investigation as and when called for and shall return all the dowry articles as per list attached with the reply of the IO within a week from today.**
  - d) The applicant is directed to give all her mobile numbers to the Investigating Officer and keep them operational at all times.
  - e) The applicant shall give her address to the IO and if she changes the address she shall intimate the same to the IO.
  - f) The applicant shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the applicant is trying to contact him /



her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.

8. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the anticipatory bail application stands disposed off.
9. Copy of the order be uploaded on the website of the District Court.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2647/21  
FIR No. 115/2021  
U/s 392/397/ 34 IPC  
P.S. Wazirabad  
State Vs. Hashim

12.10.2021

**Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.**

**Present application has been moved u/s 439 Cr.P.C. on behalf of applicant Hashim for grant of interim bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.

Sh. Tarun Upadhyay, Ld. Counsel for the applicant.

This is an application moved for grant of interim bail on medical grounds. It has been submitted by Ld. Counsel for the applicant that the wife of the accused delivered a child on 10.09.2021 and thus it is imperative for the husband to take care of the wife. It has been informed by the Naib Court ASI Sanjay Kumar that IO has sought some time for reply.

Be that as it may, based on the averments of Ld. Counsel for the applicant, a humanitarian view is being taken and accused is hereby granted interim bail for ten days till the time medical documents are verified from the date of release, on furnishing personal bond of Rs. 20,000/- to the satisfaction of concerned Jail Superintendent with the following conditions :-

*Contd.....*

- a) The accused shall surrender himself on expiry of the period of ten days from date of release, by 10.00 am in Tihar Jail with report in writing alongwith an affidavit through his counsel, to be filed in the court on the same day by 4 :00 pm, regarding such compliance.
- b) The applicant/accused is directed not to leave the country without prior permission of the Court.
- c) The accused/applicant shall join investigation as and when called for.
- d) The accused is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.
- e) The accused shall give his address to the IO and if he changes the address he shall intimate the same to the IO.
- f) The accused shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the accused is trying to contact him/her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.

Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the interim bail application stands disposed off.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2995/21  
FIR No. 306/21  
U/s 498A/496/34 IPC  
P.S. Timarpur  
State Vs. Meharban Singh

12.10.2021

**Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.**

**Fresh application has been moved u/s 438 Cr.P.C. on behalf of applicant Meharban Singh for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.

Sh. J.A. Chaudhary, Ld. Counsel for applicant/accused.

Let report of IO be called for 22.10.2021.

Order be uploaded on the website of Delhi District Courts.

**(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2997/21  
FIR No. 292/18  
U/s 498A/496/34 IPC  
P.S. Burari  
State Vs. Sumit Bhasin

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

Fresh application has been moved u/s 438 Cr.P.C. on behalf of applicant Sumit Bhasin for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.

Sh. J.A. Chaudhary, Ld. Counsel for applicant/accused.

Let report of IO be called for 22.10.2021.

TCR be requisitioned for the NDOH.

Order be uploaded on the website of Delhi District Courts.

(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/12.10.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2996/21  
FIR No. 722/21  
U/s 323/341/308/34 IPC  
P.S. Wazirabad  
State Vs. Vikas @ Vicky

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

Fresh application has been moved u/s 439 Cr.P.C. on behalf of applicant Vikas @ Vicky for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.

Sh. Amit Kumar, Ld. Counsel for applicant/accused.

Let report of IO be called for 22.10.2021.

Order be uploaded on the website of Delhi District Courts.

(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/12.10.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2974/21  
FIR No. 642/21  
U/s 323/336/341/506/34 IPC  
P.S. Burari  
State Vs. Parmanand @ Karan

12.10.2021

**Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.**

**Fresh application has been moved u/s 439 Cr.P.C. on behalf of applicant Parmanand @ Karan for grant of regular bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.  
Sh. Pawan Kripa Shankar Bhargav, Ld. Counsel for applicant.  
Let TCR be requisitioned for 21.10.2021.  
Order be uploaded on the website of Delhi District Courts.

**(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2854/21  
FIR No. 93/2021  
U/s 498a/406/34 IPC  
P.S. Maurice Nagar  
State Vs. Arvind Kumar

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application has been moved u/s 438 Cr.P.C. on behalf of applicant Arvind Kumar for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.  
Sh. Navin Kumar, Ld. Counsel for the applicant.  
IO/WSI Parphulla also present.  
Complainant also present in the Court.

Order be uploaded on the website of Delhi District Courts.

**(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/12.10.2021**



**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2958/21

FIR No. 248/21

U/s 498A/406/34 IPC

P.S. Gulabi Bagh

State Vs. Neeraj Kapoor

12.10.2021

**Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.**

**Present application has been moved u/s 438 Cr.P.C. on behalf of applicant Neeraj Kapoor for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.

Ms. Akanksha, Ld. Counsel for the applicant.

Complainant with Ld. Counsel Sh. Praveen.

It has been apprised by both the parties that the matter was referred to the mediation centre and NDOH there at is 31.12.2021 for partial compliance of order dated 09.10.2021.

Ld. Counsel for the complainant has not opposed for continuance of interim protection already granted to the applicant.

Under these circumstances interim protection from arrest is hereby granted to the applicant till NDOH.

Re-list for further proceedings on 11.01.2022.

**(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2852/21  
FIR No. 115/21  
U/s 380/411 IPC  
P.S. Maurice Nagar  
State Vs. Sajid

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application u/s 439 Cr.P.C. has been filed on behalf of accused Sajid for grant of regular bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.  
Sh. Syed Malik, Ld. Counsel for applicant.  
Reply of IO received.

**ORDER ON BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant / accused submitted that accused is in J/C since 08.09.2021 and that he has been falsely implicated in the present matter. It has been submitted that accused is a sole

bread winner of the family, as he works as a labour and the entire family consisting of five small children and parents are dependent upon him.

3. *Per contra*, Ld. Addl. PP for the State, vehemently opposed the bail application as per law. It has been submitted that accused has a previous involvement and also recoveries were effected from him.
4. Submission heard and record perused.
5. A perusal of the record reveals that recoveries of two laptops have already been effected from the accused. Accused is in J/C since 08.09.2021. Under these circumstances, this Court is of the considered view that no purpose would be served in keeping the accused in custody any longer. Accordingly, the accused Sajid is admitted on bail on furnishing bail bond and surety bond of Rs 10,000/- with one surety of the like amount to the satisfaction of Ld CMM/Ld. MM/Ld. Link MM/Ld. Duty MM as the case may be, subject to the following conditions:
  - i. He shall not establish any contact with the complainant or any other witness, nor try threaten influence, intimidate etc. any witness.
  - ii. He shall not hamper the trial or investigation in any manner.
  - iii. He shall furnish his present and permanent address with supporting documents alongwith affidavit/undertaking to inform about any change qua the same, without any delay, to the IO/Court.

- iv. He shall join the investigation/attend trial without default.
- v. If he shall commit the similar offence again, then the State is at liberty to move an application for cancellation of bail.
6. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.
7. Copy of the order be uploaded on the website of the District Court.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/12.10.2021**

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2445/21  
FIR No. 735/21  
U/s 363/366 IPC  
P.S. Burari  
State Vs. Rahul Kumar

12.10.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application u/s 438 Cr.P.C. has been filed on behalf of accused Rahul Kumar for grant of anticipatory bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for State.  
Sh. M.K. Sharma, Ld. Counsel for the applicant.  
IO/WSI Sonika also present.  
Report of IO filed.

**ORDER ON BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant submitted that there is no requirement for custodial interrogation of the accused. It was submitted that

perusal of section 164 Cr.P.C. reveals that the victim has not made any allegations against the accused, but allegations have been made against the chacha of the victim. It was submitted that accused is always willing to join the investigation and thus he should be granted anticipatory bail.

3. *Per contra*, Ld Addl. PP for the State alongwith with the IO, vehemently opposed the anticipatory bail application as per law. It was submitted that grave allegations of kidnapping and then forcing the victim into marriage have been levelled. Strong apprehension of influencing the victim have been put forth by the State.
4. Submission heard and record perused.
5. A perusal of the record reveals that interim bail was granted to the accused as age enquiry of the victim had not been conducted. In fact, Ld. Counsel for petitioner / accused had submitted that the victim is major. However, today a copy of order dated 07.10.2021 passed by Child Welfare Committee-III, Sewa Kutir Complex has been placed on record, as per which it has been declared that the victim is a child in Need of Care and Protection (CNCP) u/s 2(14) of JJ Act, 2015. Vide said order, age determination process is over and it has been held that the victim is a child.
6. Under these facts and circumstances and keeping in account the averments made by the IO that accused has not been joining or cooperating with the investigation coupled with the fact that there

is an apprehension that the accused may influence the victim, this Court is of the opinion that the accused ought not to be granted anticipatory bail at this juncture. Accordingly, the present anticipatory bail application is hereby dismissed.

7. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the anticipatory bail application stands disposed off.
8. Copy of the order be uploaded on the website of the District Court.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/12.10.2021**