

***IN THE COURT OF ANKUR JAIN: ASJ(SFTC)-01:WEST: TIS HAZARI
COURTS: DELHI.***

***Bail Application No. : 2504 and 2505
State Vs. Satpal Virmani and Saroj Virmani***

FIR NO. : 06/2020

P.S.: Hari Nagar

U/s : 498-A/406/354/377/34 IPC

THROUGH CISCO WEB EX.

05.07.2021

ORDER:-

By this order I shall dispose of the anticipatory bail application moved on behalf of the applicants/accused.

The brief facts of the case are that the FIR was registered on the complaint of Ms.Richa who alleged harassment, molestation and un-natural sex at the hands of her in-laws and husband. On the basis of her complaint FIR u/s 498-A/406/354/377/34 IPC was registered.

Ld. Counsel for the accused/applicant submits that the present complaint is an afterthought, the husband has been granted anticipatory bail. As per the report of the IO the mere fact that istridhan is to be recovered cannot be ground to deny anticipatory bail. In support of his argument he has relied upon the Judgment of **Amiruddin v State Bail Application No. 578/2015, decided on 04.05.2016.**

On the other hand Ld. Counsel for the complainant submits that judgment relied upon by the counsel for applicants are not applicable to the facts of the present case.

I have heard Ld. Counsels for the parties and perused the record.

In the present case husband has been granted anticipatory bail vide order dated 25.02.2020. The applicants are senior citizen; they are the in-laws of the complainant. There is no dispute that the present complaint was made only when the case of divorce was filed by the husband in Gurgaon court and perhaps after receipt of summons. Merely because istridhan articles have to be recovered, cannot be ground to deny anticipatory bail, reliance in this regard can be placed on the judgment of **Amirruddin(supra)**

Accordingly, considering the overall facts of the case, in the event of arrest applicants are entitled to anticipatory bail on their furnishing a personal bon the sum of Rs. 50,000/- each with one surety each in the like amount to the satisfaction of the IO/SHO concerned on the following terms and conditions:-

- i) The applicants shall not in any manner contact the complainant or try to influence the complainant.
- ii) Applicants shall join the investigation as and when required for, they shall provide their mobile number to the IO/SHO and shall remain present on the date fixed for trial.

Applications stand disposed of. Copy of the order be sent to all electronically

(Ankur Jain)
ASJ (SFTC-01) West
Delhi: 05.07.2021