

IN THE HIGH COURT OF DELHI AT NEW DELHI

07.07.2005

**Present: Mr.S.S.Dahiya for applicant.
Mr.N.M.Dudeja for State.**

Bail Application No. 1628/2005

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1.Deceased who was the sister in law of the applicant was married to the brother of the applicant on 15.2.2002. She died on 25.5.2005. It is an unfortunate untimely death of a young girl but the question, is whether the applicant who is the sister in law of the deceased should or should not be denied benefit of anticipatory bail.

2.What is against the in laws of the deceased is the fact that death of deceased was notified to her parents after 2 days and that there are allegations of dowry harassment. What is in favour of the applicant is the fact that she is married and resides in village Punjab Khor which is at a distance of about 25 kms from the place of residence of the deceased and her husband.

3. Applicant is stated to be married since 1979. She is stated to be living happily with her family.

4. A perusal of the FIR which has been registered pursuant to the statement made by the father of the deceased implicates the entire family of the husband of the deceased i.e. the husband, parents in law, sisters in law, brothers in law.

5.There is no material to show that the applicant was aware of the death of her sister in law. If her brother and father did not inform the father of the deceased applicant being herself married and a resident of a far away village cannot sinned for lapse by her brother, father and mother.

6.Considering the nature of the allegations in the FIR against the applicant and entire in law family as a whole, noting the facts aforesated, application is allowed. In the event of the arrest of the applicant by the police, applicant would be release

d on bail on her furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Investigating Officer in FIR No. 223/2005 under Section 498A/302/201/34 IPC, P.S.Alipur. Conditions of Section 438(2) Cr.

.C. would be inherent conditions of the anticipatory bail granted to the applicant.

Dasti.

July 07, 2005 PRADEEP NANDRAJOG, J.

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