

IN THE HIGH COURT OF DELHI AT NEW DELHI

Bail Application No.890/2007

Reserved on : 23.08.2007

30.08.2007

Date of Decision : 30.8.2007

Rajiv Bali .....Applicant

Through : Mr.G.C.Nagar, Advocate

versus

State(Govt. Of NCT) Delhi ..... Respondent

Through : Mr. Sunil K.Kapoor and Mr. Sudhir, Advocates.

CORAM: JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

ORDER

This application under Section 438 Cr.P.C has been made by the applicant for grant of anticipatory bail in FIR lodged by his wife against him under Sections 498A, 406 IPC. A perusal of FIR would show that the complainant has stated that she used to be beaten. She was forced to sign a petition for divorce under Section 13(B)(1) after giving beatings about which she made a complaint to Delhi Legal Service Authority. On 9th July, 2006 a conspiracy was hatched up to remove her from the matrimonial home and her goods were to be sent somewhere else. However, her father got this information and lodged a complaint to police at Ashok Vihar, Police Station. She further stated that the applicant and his parents not only used to beat and taunt her for dowry but the applicant used to force her to unnatural sex. 2. Looking into allegations made by the complainant/respondent and the fact that even after separation of the complainant/respondent a kind of cruelty is continuing in the sense that respondent has been forced to live separately with her son aged about three years and no provision has been made by the applicant for their maintenance. The applicant is a government servant earning gross salary of Rs.19,721/- per month, does not pay a single paisa for the maintenance of his son and wife, who have been left to starve. I find no reason to grant anticipatory bail. The bail application is dismissed.

SHIV NARAYAN DHINGRA, J.

August 30, 2007