

Hoti Lal Vs. State

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Court : Delhi

Decided On : Oct-12-1992

Reported in : 50(1993)DLT43

Judge : Mohd. Shamim, J.

Acts : [Code of Criminal Procedure \(CrPC\) , 1973](#) - Sections 439

Appeal No. : Criminal Miscellaneous (Main) Appeal No. 2425 of 1992

Appellant : Hoti Lal

Respondent : State

Advocate for Pet/Ap. : P.P. Grover and; Hirdayjot Singh, Advs

Judgement :

Mohd. Samim, J.

(1) This is an application by the petitioner for releasing him on bail. Learned Counsel for the petitioner has contended that the petitioner is innocent and he has been falsely implicated in the present case. The deceased Smt. Vandana had been residing with her parents for the last six months before her death i.e. on 21/05/1992. In any case, according to the statement of her mother Smt. Bhagwati, the deceased had been residing with her parents for the last three months. A compromise was entered into in between the deceased and the

petitioner on 1/05/1992. As per terms of the compromise the deceased was to re-join the petitioner on 23/05/1992. In the above circumstances, the learned Counsel for the petitioner has contended that the instant case doesn't fall within the domain of Section 304-B of the Indian Penal Code and the petitioner is entitled to bail. He cannot be held responsible for the suicide committed by the deceased on 21/05/1992. Hence the petitioner is entitled to an order of bail.

(2) Learned Public Prosecutor Mr. Hirdyajot Singh has opposed the application. According to him the deceased was treated with cruelty and there was a demand of dowry as per the statement of the mother of the deceased Smt. Bhagwati.

(3) Considering the above facts and circumstances, I think present case is a fit case for bail. Let the petitioner be released on bail on his furnishing a surety in the sum of Rs. 5,000.00 with a personal bond in the like amount to the satisfaction of the Court concerned.

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