

IA No. 03/2024 in SC 661/2023
State Vs. Anju @ Renu
FIR No. 480/2023
PS S.P. Badli
U/s 302/201/120B/34 IPC

11.07.2024

This is an application under Section 439 Cr.P.C./483 BNSS for grant of bail moved on behalf of applicant/accused Anju @ Renu.

Present:- Mr. Nishant Kumar, Ld. Addl. PP for the State.

Reply to the bail application has already been filed.

Detailed had been heard on behalf of applicant through counsel Mr. A.K. Bhardwaj (through VC) and Mr. Antriksh.

The father of the complainant was also present through VC, who has opposed the application and detailed arguments have been heard from Mr. Manoj Singh, Id. Counsel for the complainant.

Various grounds for seeking bail have been mentioned in the application, which have been duly considered, however, the same are not being reproduced herein for the sake of brevity.

1. Briefly stated, the present FIR has been registered under Section 302/120B/201/34 IPC on the statement of deceased's father Sh.Sushil Kumar that his son Arun Kumar was got married with Anju @ Renu D/o Rajender on 09.03.2023. That on 22.05.2023 his father in law Rajender Singh was admitted in RML Hospital and Arun Kumar went for the help of her ill father-in-law. That at about 5.30 p.m., he received a call from

deceased Arun Kumar that he was surrounded in laws house in Badli, Delhi. Thereafter, the mobile phone of Arun Kumar was switched off. They reached at Badli Village and found his son Arun Kumar in unconscious condition at first floor of the house. He was taken to BSA Hospital, Rohini by the PCR van where he was declared brought dead.

That the next day, the postmortem of deceased Arun got conducted at mortuary, BSA Hospital, vide PM No 361/2023. The postmortem report no. 361/23 has been received which reveals that “death was due to combined effect of cerebral damage and hemorrhagic shock consequent to multiple injuries to the body, all the injuries were ante mortem in nature, fresh before death and caused by blunt force.

2. It is argued by Ld. Counsel for the applicant/accused that accused is running in JC since 17.08.2023, much later to the incident and has been falsely implicated in the present case. That the allegations of beating are against the other co-accused. That this was the second marriage of the applicant/accused and the deceased and no complaint of any matrimonial discord had been filed till the incident.

It is further argued that applicant/accused was arrested after almost 87 days of the registration of FIR and now the ld. Counsel submits that the co-accused Mukesh Kumar has been enlarged on bail by the Hon'ble High Court vide order dated 08.07.2024. It is prayed that a lenient view be taken.

3. Ld. Additional PP for the State assisted by ld.

Counsel for the complainant Mr. Manoj Singh have vehemently opposed the bail application submitting that the allegations levelled against the applicant/ accused are very grave and serious in nature and that the applicant is the person who instigated all the accused persons to commit the offence.

4. Heard. Record perused. I have also perused the report filed by the IO.

5. The applicant is the wife of the deceased. As per the case of the prosecution, the weapon of offence had been recovered from co-accused Kamal Kumar. The applicant is a lady and has been in custody for the past almost 01 year. Now, the co-accused Mukesh Kumar, who had played a more active role, as per the story of prosecution, has been enlarged on bail by Hon'ble High Court vide orders dated 08.07.2024.

As per the report of the IO, there is no previous involvement of the applicant/accused.

In the light of the case of *Satender Antil Vs. CBI decided on 11.07.2022 and Sidharth Vs. State of U.P. CrI. A No. 838/2021 decided by the Hon'ble Supreme Court on 16.08.2021*, accused **Anju @ Renu** is hereby enlarged on bail on furnishing of bail bond for a sum of **Rs.50,000/- with one surety** of the like amount, **who is permanent resident of Delhi/NCR**, to the satisfaction of concerned Ld. MM/Link MM/Duty MM but subject to the following conditions:

- (a) The applicant/accused shall attend the court proceedings regularly.
- (b) That in case of change of her residential

addresses, she shall intimate the Court about the same.

- (c) The accused shall not leave the country without prior permission of the Court.
- (d) The accused shall not indulge into similar offence in the event of release on bail.
- (e) The applicant/accused shall not try to influence the witnesses, in any manner, directly or indirectly.

Application stands disposed off.

6. *It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.*

7. Copy of the order be given *dasti* to the Ld. Counsel for the parties as well as be sent to concerned IO, concerned Jail Superintendent, Ld. Secretary, DLSA (North), through all possible modes, as per rules.

(Shefali Sharma)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
11.07.2024