

IN THE HIGH COURT OF DELHI AT NEW DELHI

SUBJECT : INDIAN PENAL CODE

Date of hearing and order: December 04, 2008

Bail Application No. 2162/2008

Shakuntla ...

Petitioner
Through: Mr.Riyaz A.B hat, Advocate

versus

State of N.C.T. of Delhi ...

Respondent
Through: Mr. R.N.Vats, Addl. Public
Prosecutor Inspector Inder Singh.

SUNIL GAUR, J.

1. In a dowry death case, mother-in-law of the deceased is seeking bail in order to attend to her daughter who is said to be suffering from breast cancer and to look after the minor child of the deceased.
2. Reliance is placed by the petitioner on the medical certificate which indicates that the daughter of the petitioner is in third stage and is likely to require surgery and treatment which may extend to six months and beyond. Daughter of the petitioner has been advised to have an attendant to take care of her.
3. Status report was called. As per the status report, the husband of the petitioner as well as the ailing daughter of the petitioner are on bail and petitioner's daughter is undergoing treatment for breast cancer as an outdoor patient and another daughter of petitioner is there and any of the above-said person can take care of petitioner's ailing daughter and minor child of the deceased.
4. There is a dying declaration of the deceased which clearly implicates the petitioner as one of the accused who had poured kerosene oil over the deceased and had burnt her.
5. In view of the gravity of the offence and the contents of the status report as referred to above, no case for grant of bail to the petitioner is made out.
6. This petition as well as pending application(s), if any stand dismissed.

Sd./-
SUNIL GAUR, J

December 04, 2008