

# MOOT PROBLEM

Pradeep Singh and Preeti Singh belonged to Lucknow in the state of Uttar Pradesh of India. They got married in 23.10.2011 as per Hindu Rites and Rituals at a farm house situated in New Delhi. Their marriage was arranged marriage. In October, 2011 Pradeep and Preeti shifted to New Delhi along with their parents Ram Singh (Father-in-law of Preeti) Devi Singh (Mother-in-law of Preeti) and Shiv Singh (Brother-in-law of Preeti). On 12th June, 2012, Pradeep and Preeti were blessed with a baby boy (Shyam Singh). On 1st September, 2017 at about 4.30 p.m., Ram Singh (father-in-law) has heard the cries of Preeti and when he rushed to the second floor of the house, he saw her burning. He tried to douse the fire. Preeti told him that her son Shyam was lying in the bathroom. He rushed to the bathroom and found that the child also had burns. Preeti and her child were removed to the hospital. At about 6.40 p.m., her statement was recorded by the doctor wherein she stated that she and her son caught fire when she was pouring kerosene oil in the lamp which accidentally fell down; the oil got spilled over and both of them got burnt. On receiving the intimation, father of Preeti (Yogesh Kumar) reached the hospital on the same night. At about 10.55 p.m., the minor child Shyam expired. On 19th September, 2017, father of Preeti lodged a complaint with Police against Pradeep his father (Ram Singh) mother (Devi Singh) and brother (Shiv Singh), inter alia, alleging that after the marriage of his daughter, Pradeep and his family were torturing her for not meeting dowry demand of Rs10 lakhs and on 15th July, 2012, due to torture she had left the matrimonial home, intending to commit suicide but due to intervention of the relatives, she returned back. On the said complaint, the police registered an FIR (183/17) against Pradeep and his family for offences under Section 498A read with Section 34, IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961. In the initial investigation of police it was found that both Pradeep and Preeti use to fight on petty issues but no angle of dowry came into the picture till now. On 7th September, 2017 the applicants applied for grant of anticipatory bail before the Sessions Judge, Saket, who, vide order dated 10th September, 2017, initially granted anticipatory bail to them from arrest till the next date of hearing i.e. 18th September, 2017. On 17th September, 2017, Preeti expired and offence under Section 304-B IPC came to be added against the accused. On 18th September, 2017, after hearing both sides and upon taking into consideration the said statement and witnesses, the learned Sessions Judge confirmed the anticipatory bail granted to the appellants. Aggrieved, the NCT Delhi the complainant filed petitions before the Hon'ble High Court of Delhi for cancellation of anticipatory bail granted to Pradeep and his Family.

## Relevant Laws –

1. Indian Penal Code, 1860
2. The Code of Criminal Procedure, 1973
3. The Indian Evidence Act, 1872
4. The Protection of Women from Domestic Violence Act, 2005
5. Dowry Prohibition Act, 1961
6. Other Relevant Laws.