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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010254942026

+ **BAIL APPLN. 2123/2026 & CRL.M.A. 17472/2026**

FATEEMA @ ANJALI

.....Petitioner

Through: Mr. Tarunjeet Singh Jolly, Mr. Sumit,
Mr. Vikas Duggal, Mr. J. S. Badi, Ms.
Sagun Saini, Mr. Manpreet Singh Jolly
and Mr. Devender Singh, Advs.

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for State.
Insp. Rajesh Kumar and SI Rohit

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER
20.08.2026

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1. This hearing has been done through hybrid mode.
2. The present application has been filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS') seeking grant of regular bail in FIR No. 195/2023 registered at Police Station Uttam Nagar under Sections 302/34 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC').
3. Learned counsel for the applicant submits that the applicant has been in judicial custody for the last more than three years and, despite the filing of the chargesheet, charges have not yet been framed. It is further submitted that the trial has not commenced effectively and the matter is presently pending on account of FSL proceedings/report.



4. Learned counsel for the applicant further submits that co-accused Shubham, who is the husband of the applicant and is also named in the FIR, has already been granted bail by the learned Trial Court. It is submitted that the applicant is also entitled to the benefit of parity with the said co-accused.
5. Learned APP for the State, *per contra*, submits that the deceased was kidnapped by the applicant along with the co-accused with the intention of extorting money and was thereafter tortured and killed. It is submitted that the allegations disclose a pre-planned murder and, therefore, the applicant does not deserve the discretionary relief of bail.
6. This Court has heard the learned counsel for the applicant as well as learned APP for the State and has perused the material placed on record.
7. The chargesheet in the present case has already been filed. It is also an admitted position that charges have not yet been framed and the applicant has remained in judicial custody for more than three years.
8. It is also an admitted case that charges are yet to be framed in the present case. The petitioner is in custody for the last three years. She along with her husband was residing in the rented premises. The land lady saw her husband and the other tenant taking the blue coloured bag from the house. Subsequently, she saw the bag in the drain from where the dead body was recovered.
9. As per the material placed before this Court, the applicant was residing along with her husband in a rented premises. The landlady had allegedly seen the husband of the applicant and another tenant taking a blue-coloured bag from the premises. Subsequently, the said bag was found in a drain from where the dead body was recovered.
10. At this stage, there is no direct evidence placed before this Court



attributing the act of murder to the applicant. Merely because the applicant is the wife of the co-accused, no presumption can be drawn against her that she had committed the murder along with the co-accused.

11. Further, the applicant is a woman and has remained in custody for more than three years. The co-accused Shubham, who is the husband of the applicant, has already been granted bail.

12. Considering the prolonged incarceration of the applicant, the fact that charges have not yet been framed, the nature of the material presently placed before the Court, and the fact that the co-accused has already been granted bail, this Court is of the view that the applicant can be released on regular bail, subject to appropriate conditions.

13. Accordingly, the applicant is directed to be released on regular bail on furnishing a bail bond in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of the learned Trial Court, subject to the following conditions:

- i. The applicant shall not leave India without the prior permission of the learned Trial Court.
- ii. The applicant shall intimate the learned Trial Court, by way of an affidavit, as well as the Investigating Officer regarding any change in her residential address.
- iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
- iv. The applicant shall furnish her mobile number to the Investigating Officer and keep the same operational at all times.
- v. The applicant shall not, directly or indirectly, tamper with the evidence or attempt to influence any witness in any manner.



vi. The applicant shall report at the office of the concerned SHO, Police Station Narela Industrial Area, Delhi, on the first Monday of every month at 11:00 a.m. and shall be discharged by 12:00 noon, after recording her presence and completion of all necessary formalities.

14. A copy of this order be sent to the concerned Jail Superintendent for necessary information and compliance.

15. The application is allowed and disposed of accordingly. Pending application(s), if any, also stand disposed of.

16. Nothing stated herein shall be construed as an expression of opinion on the merits of the case.

17. The order be uploaded on the website forthwith.

MADHU JAIN, J

AUGUST 20, 2026/b/P