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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1228/2024**

**DEVENDER DALAL THROUGH PEROKAR SANTOSH
KUMARI**

..... Petitioner

Through: Mr. Randeep Singh, Mr. Ujala
Vishnoi, Mr. Sachin Sangwan, Mr.
Vijay and Mr. Ankit Yadav,
Advocate.

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Laksh Khanna, APP for State
with Insp. Narender, P.S. Nangloi and
Insp. Deepak, Security.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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06.05.2024

1. By way of present bail application filed under Section 439 Cr.P.C., the applicant seeks regular bail in FIR No. 572/2023 registered under Sections 498A/304B/34 IPC at P.S. Nangloi.
2. Learned counsel for the applicant submits that the applicant is in custody since 29.06.2023. He submits that the marriage between the applicant and the deceased was solemnized on 22.11.2019 and till the date of the incident, there was no complaint. He submits that the FIR in the present case was lodged at the behest of the mother of the deceased. He further submits that though the complainant i.e. mother of the deceased, in her statement, has stated about the demand of dowry, however, she has not given any specific details. It is further submitted that there are two minor children born out of the wedlock of the parties and charge-sheet having been



filed, the applicant is no longer required for any further investigation.

3. Learned APP for the State, on the other hand, has opposed the bail application. He contends that a day prior to the deceased committing suicide, a phone call was received by the mother of the deceased wherein her daughter had complained of harassment on account of dowry. He further contends that subsequent statement of the deceased's mother was recorded wherein she has stated that a demand of a car was made. To a similar extent are the statements of the other relatives.

4. I have heard the learned counsels for the parties and perused the material available on record.

5. As per the prosecution case, deceased committed suicide on 28.06.2023 by hanging herself. The FIR came to be registered on the statement given by the mother of the deceased before the SDM during the inquest proceedings under Section 174 Cr.P.C. In the said statement, the complainant though has stated about demand of dowry however, she did not specified the date and not given any specifications as to the time of demand and as to what was demanded. Considering the aforesaid facts and the fact that charge-sheet having been filed and the period of custody and further fact that there are two minor children who are to be looked after, it is directed that the applicant be released on regular bail subject to him furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/ concerned Court/Duty M.M. and subject to the following further conditions :-

i) The applicant shall not leave the NCR without prior permission of the concerned Court.



- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
 - iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
 - iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
 - v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.
6. The bail application is disposed of in the above terms.
7. Copy of the order be communicated to the concerned Jail Superintendent for information.
8. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

MAY 6, 2024

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