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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 1444/2024, CRL.M.A. 12588/2024, CRL.M.A. 12589/2024
VINOD BISHTPetitioner

Through: Mr.Ashish Kr. Upadhyay, Ms. Maitri
Goal, Advs.

versus

STATE OF GNCT OF DELHIRespondent
Through: Ms. Priyanka Dala, APP for the State
with SI Rahul PS seemapuri.

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER
30.07.2024

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1. The present bail application has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.389/2017 dated 21.06.2017 registered under Section 302/324 IPC at PS: Seemapuri.
2. Learned counsel for the petitioner submits that the petitioner has already undergone custody of around four years eight months. Learned counsel for the petitioner had also remained on bail during the Covid period and had not misused the bail. Learned counsel submits that the trial may take a long time and therefore the bail may be granted.
3. Learned APP for the State has vehemently opposed the bail application and submits that as per FIR, the accused used to beat his deceased wife on the suspicion of infidelity. On the day of incident also, while the victim tried to run outside, the accused caught her in hall and took out a meat cutter from his pants and hit her on the head



with the same which caused her death. The complaint was lodged on the statement of Vineet Bisht i.e. the son of the accused and the victim. The accused ran away after causing the incident.

4. Learned APP for the State has further submitted that it was a premeditated offence. It has also been submitted that the complainant has duly supported the case of prosecution in the Court.
5. It is a matter of the record that the weapon was recovered and the blood also matched with the blood of the victim and the blood on the weapon.
6. I have considered the submissions. This is a gruesome case where the husband committed the murder of his wife with a meat cutter in the presence of his son, Mr. Vineet Bisht. There cannot be anything more serious or worse than such a case. The prosecution witnesses are yet to be examined. In the present case, if the petitioner is enlarged on bail, the primary witness is in the home only and the effect of the presence of the accused in the same home is beyond imagination. Reliance can be placed on *Mahipal v. Rajesh Kumar Alias Polia and Another* (2020) 2 SCC 118 wherein the Hon'ble Supreme Court inter alia held that the Court must consider the nature and gravity of the offence committed and the likelihood of the accused obstructing the proceedings of the trial in any manner or evading the course of justice.
7. Further, it has been reiterated in *Gurcharan Singh & Ors. vs. State (Delhi Administration)* (1978) 1 SCC 118 well-known principles, that likelihood of an accused fleeing from justice and tampering with prosecution evidence as paramount conditions before granting bail.



8. I consider that taking into the gravity of the offence, the petitioner is not entitled for the bail. Hence, the present application is dismissed.

DINESH KUMAR SHARMA, J

JULY 30, 2024

Pallavi/AJ