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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 1578/2024**

**SUBHASH CHAND**

..... Petitioner

Through: Mr. Mukesh Gupta, Mr. Praveen  
Singh, Mr. Rahul Prashar and Mr.  
Jitender Sharma, Advocates.

Versus

**STATE GOVT OF NCT OF DELHI**

..... Respondent

Through: Mr. Aashneet Singh, APP for State  
with SI Tilak Raj, P.S. Ranhola.

**CORAM:**  
**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**  
**29.05.2024**

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1. By way of present application filed under Section 439 Cr.P.C., the applicant seeks regular bail in FIR No. 722/2022 registered under Sections 498A/304B/34 IPC at P.S. Ranhola, Delhi.
2. Learned counsel for the applicant states that applicant is in custody since 13.09.2022 and has been in continued incarceration since then except for a brief period of 10 days when he was released on interim bail. Learned counsel further submits that in the present case, the FIR was registered on the statement of father of the deceased who has given no details of demand of dowry or the date when it was asked for. He submits that statements of other witnesses being the brother and mother of the deceased are also *pari materia*. Lastly, it is submitted that charge has been framed on 02.05.2024



and as the prosecution has cited around 18 witnesses, the trial will take long time to conclude.

3. Ld. APP for the State has handed over a copy of the Status Report, which is taken on record. He, on instructions, states that the FIR was registered on the statement of father of the deceased and to the similar extent are the statements of other family members. He submits that recently supplementary challan has been filed on the basis of statement of one *Shobha*, sister-in-law of the deceased which was recorded on 22.01.2024 in which details of the demand as well as harassment extended to the deceased are mentioned in detail.

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

5. Applicant is in custody since 13.09.2022. A perusal of the initial statements placed on record would show that the charge-sheet was also filed on the basis of the said statements, a reading of which would show that it does not contain any specific details except stating that the in-laws of the deceased started demanding dowry after one year of the marriage. The statements also state that 6/7 months prior to giving of the statements they had visited the house of the deceased when she mentioned about the harassment. It is also mentioned that deceased was also taunted in front of them, however, the said statements are bereft of any detail of the nature of taunt, the reason for it and the demand of dowry, if any. Subsequently, after about one and a half year, statement of *Shobha* has been recorded on the basis of which supplementary challan has been filed wherein details of harassment are mentioned for the first time.

6. Notably, the allegations as mentioned in the statement of *Shobha* have



come up for the first time after about one and a half year and that too when *Shobha* was available throughout during the period of investigation. Without expressing any opinion on the merits of the case, this Court is inclined to admit the applicant on regular bail, subject to his 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.
7. The bail application is disposed of in the above terms.
8. Copy of the order be communicated to the concerned Jail Superintendent for information.
9. 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.

*Dasti.*

**MAY 29, 2024**

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**MANOJ KUMAR OHRI, J**