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

+ **BAIL APPLN. 2928/2024**

BIMLA DEVI

.....Petitioner

Through: Mr. K.K. Vijay, Mr. Aseem
Bhardwaj, Advs.

versus

THE STATE GOVT OF NCT DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State
with SI Ashish Garg, PS Aman Vihar

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

14.10.2024

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1. The present bail application has been filed under Section 483(1) r/w 528 of BNSS seeking grant of regular bail in case FIR no. 128/2024 registered under Section 498A/304B/34 IPC at PS: Aman Vihar.
2. Learned counsel for the petitioner states that the petitioner is the mother-in-law of the deceased and has been in custody since 02.03.2024. It is the case of the petitioner that the sole allegation made by the complainant is that the petitioner compelled the deceased to wash her clothes by hand during winter, prohibiting the use of the washing machine. Learned counsel further submits that the charge-sheet has already been filed and the trial may take a long time, therefore, the petitioner may be admitted to bail.
3. The learned APP for the State opposes the bail application, arguing that,



in addition to the aforementioned allegation, the complainant has also alleged that the petitioner taunted the deceased for bringing less dowry. The APP asserts that if the petitioner is granted bail, there is a risk that she may threaten or intimidate witnesses.

4. The unfortunate incident reportedly occurred within three to four months of the marriage, with the deceased allegedly committing suicide by hanging with a saree due to harassment and torture related to dowry demands. The deceased's husband is currently in judicial custody.
5. The criteria for granting bail in heinous offences are very well settled. The considerations to be taken into account while granting regular bail are the nature and gravity of the respondent's accusations, the antecedents of the applicant, the possibility of the applicant to flee from justice, the possibility of threatening and intimidating the witnesses and other circumstances. However, it is a settled rule that the Court, at the stage of the bail, cannot hold mini-trials and has to see only the *prima facie* case as produced by the prosecution.
6. In the present case, it is to be noted that while the complaint accuses the petitioner of taunting the deceased regarding dowry, it lacks specific instances of physical or mental abuse. It is also a matter of record that the charge-sheet has already been filed and the petitioner has been in custody since 02.03.2024. The trial may take long time.
7. Accordingly, in view of the peculiar facts and circumstances, the petitioner is admitted to regular bail upon furnishing a personal bond of Rs. 15,000/- with one surety of the like amount to the satisfaction of the concerned learned trial court, subject to the verification of address and upon providing her mobile number(s) and subject to the following further



conditions:

- a) the petitioner shall regularly appear before the IO/trial court as and when directed;
 - b) the petitioner shall not directly or indirectly make any inducement, threat, intimidate or tamper with any person acquainted with the facts of the case and the petitioner cannot visit the family of the complainant;
 - c) the petitioner shall remain available at the address, to be given to the learned trial court and IO and shall not leave the country without the permission of the learned Trial Court;
 - d) In case of change of residential address and/or mobile number, the petitioner shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit.
8. With the above directions, the application is disposed of.
9. A copy of this order be sent to concerned Jail Superintendent for information and necessary compliance.

DINESH KUMAR SHARMA, J

OCTOBER 14, 2024
JN/SM..