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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2988/2024**
VINEET KUMARPetitioner
Through: Mr. Brijlal and Mr. Shanti Narayan,
Advs.

versus

THE STATE OF NCT OF DELHIRespondent
Through: Ms. Manjeet Arya, APP for the State
with Insp. Aditya Malik, PS Fatehpur
Beri.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **22.08.2024**

CRL.M.A. 25051/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

BAIL APPLN. 2988/2024

1. Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioner for grant of regular bail in FIR No. 004/2024 under Sections 304B/498A/34 IPC registered at P.S.: Fatehpur Beri.
2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.
3. In brief, as per the case of prosecution, petitioner was married with Manisha (since deceased) on 22.06.2022, who committed suicide on 01.01.2024 after consuming poison. The incident was informed to the concerned SDM since the deceased had committed suicide within 18 months



of marriage and FIR was registered under Sections 498A/304B/34 IPC on statement of father of the deceased. He alleged that after engagement, father-in-law (Harmukh), mother-in-law (Bina), sister-in-law (Poonam) and uncle of petitioner (Birbal) demanded Bullet motor cycle, gold ring and cash in marriage which was duly fulfilled. Further, the deceased was harassed and tortured by her in-laws and demanded a Maruti Swift Dzire Car. After few months of marriage, husband of the deceased (petitioner) is also alleged to have burnt her hand with burning woodstick and pressurised for fulfilling demand of in-laws.

4. Learned counsel for petitioner submits that co-accused father, mother, sister and uncle of the petitioner have since been admitted to bail by learned Trial Court as chargesheet was presented without arrest of the aforesaid accused after investigation. He further submits that petitioner and the deceased were happily married and the couple was also blessed with a male child. He further contends that parents of the deceased have since been examined as PW-1 and PW-2, and did not support the allegations of demand.

5. Learned APP for the State does not dispute the above said factual position but opposes the application on the ground that brother of the deceased is yet to be examined.

6. This Court is of the considered opinion that since allegations of demand of dowry have not been supported by PW-1 and PW-2, who are parents of the deceased, it would be inappropriate to deny the benefit of bail to the petitioner merely on the ground that the prosecution witnesses may be influenced. It cannot be ignored that the chargesheet was presented without arresting the co-accused who have already been admitted to bail.



Considering the totality of facts and circumstances, petitioner be admitted to bail on furnishing personal bond in the sum of Rs. 25,000/- (Rs. Twenty Five thousand only) with one surety in the like amount to the satisfaction of the learned Trial Court and subject to condition that petitioner shall not influence the witnesses in any manner.

Application is accordingly disposed of.

A copy of this order be forwarded to Superintendent Jail and concerned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J

AUGUST 22, 2024

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