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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3472/2024**

GAURAV @ SUNNY

.....Petitioner

Through: Mr. Ajay Sharma and Mr. Jatin Maan,
Advocates

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Manjeet Arya, APP for State with
Mr. Ankit Singh, DCP Dwarka, Mr.
Nishant Gupta, DCP-I/Dwarka
(through V.C.), Insp. Sanjeev Mandal,
P.S. Dwarka South, SI Bahadur
Singh, I/C P.P. Dwarka Court, Insp.
Ajay Kumar, SHO/Metro Supreme
Court and SI Vikas, P.S. Najafgarh.
Mr. Rohit Singh Negi, Advocate for
complainant (through V.C.).

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

29.11.2024

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1. By way of present bail application, the applicant seeks regular bail in FIR No. 277/2022 registered under Sections 498A/304B/354/34 IPC at P.S. Najafgarh, Delhi.
2. Learned counsel for the applicant submits that applicant is in custody since 22.05.2022 and prosecution evidence is yet to begin. He contends that the marriage between the applicant and the deceased was solemnised on 15.03.2021. The deceased committed suicide on 21.05.2022. The present FIR came to be filed on the complaint of father of the deceased. Learned



counsel for the applicant submits that in his statement recorded by the SDM during the inquest proceedings, no specific allegation of any dowry was made by the complainant. He submits that allegations of dowry only appeared in subsequent statements. He further refers to the orders vide which the applicant's brother and mother have been granted bail. By referring to the medical prescriptions, it is also contended that the deceased was suffering from bipolar disorder and schizophrenia. It is submitted that even father of the deceased in his statement has stated about medical treatment being taken by his deceased daughter. Lastly, it is submitted that before the alleged incident, the applicant has made two complaints on 28.07.2021 and 25.01.2022 to the local police complaining about the misbehaviour of the deceased.

3. The bail application is vehemently opposed by the Ld. APP for State who submits that the death has taken place within seven years of marriage. He further submits that during investigation not only the statements of parents of the deceased, but also her sister as well as neighbours were recorded, a reading of which would show that categorical allegations have been levelled qua demand of dowry as well as physical and mental harassment. He further submits that petitioner cannot claim parity with the co-accused who have been released on regular bail.

4. I have heard the learned counsels for the parties and gone through the records available. The deceased committed suicide on 21.05.2022. On that day, statement of father of the deceased was recorded resulting into registration of the present FIR. In the said statement, he has stated that he was told by his daughter that the applicant along with his family members was demanding dowry. A supplementary statement of father of the deceased



was recorded on the very next day i.e. 22.05.2022 wherein he levelled allegations of demand of gold and Rs.10 lacs. It was further stated that though Rs.5 lacs was given in cash, the applicant and his family members continued to demand the remaining Rs.5 lacs. The statement of mother and sisters of the deceased also contains the same allegations. In the statement, it was also stated that during the lifetime of the deceased, a PCR call was made on 24.01.2021 by the sister of the deceased and the said call was enquired into and filed because at that time deceased was residing at her parental home at Alwar. The mother of the deceased has also alleged that on the date of the incident she received a call from the deceased in which she complained about the demand of dowry and harassment. The said call has been verified in the investigation. Further, statement of the neighbour has been recorded who has stated that he used to hear sounds of scuffle from the house of the deceased.

5. It is pertinent to mention here that on the last date of hearing, the statement was made on behalf of the complainant who alleged that he was being threatened. A verification report has been handed over and taken on record as per which, the said complaint was inquired into and filed for not being supported by any material evidence.

6. Keeping in view the fact that statement of the parents of the deceased were recorded immediately on the next date of the death where categorical allegations of demand of gold and Rs.10 lacs have been made, I find no ground to admit the applicant on regular bail. Consequently, bail application is dismissed.

7. Needless to state that the observations made herein above shall not influence the trial court in any manner as the same have been made only for



the purpose of disposal of the present application.

MANOJ KUMAR OHRI, J

NOVEMBER 29, 2024

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