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

+ **BAIL APPLN. 728/2025**

ANSHUL

.....Petitioner

Through: Mr. Hirein Sharma, Mr. Vimal Tyagi,
Mr. Balaji Pathak, Mr. Sudhanshu
Tyagi, Mr. Tripurari Jha, Advs.

Versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for the
State and Ms. Mansi Sharma, Adv.
Insp. Deepak, PS Wazirabad.
Ms. Astha, Adv. For the complainant.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

17.03.2025

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1. This hearing has been done through hybrid mode.
2. The present application under Section 439 of the CrPC/483 of the BNSS seeks regular bail in case FIR No. 367/2024 under Sections 498A/304B/34 of the IPC registered at P.S. Wazirabad.
3. The case of the prosecution as per the status report dated 25.02.2025 authored by the SHO P.S. Wazirabad is as under: -

“1. Most respectfully, it is submitted that on 09/05/2024 at 6:50 PM an information vide DD No. 119 was received from Tirath Ram hospital wherein it was mentioned that a patient namely Pallvi W/o Anshul R/o H. No. 104 Gali No.8 Sant Nagar Burari, Delhi Age 28 years was got admitted in the Hospital Vide MLC No. 1517/2024 by her husband Ansul and got declared brought dead by doctor. The same was marked to ASI Sanjay for further necessary action. He along with PSI Bharti reached at Hospital and from the enquiry it was found that deceased Pallvi W/o Anshul hanged herself from ceiling fan with the help her chunni at H.No. 104, First Floor, Gali



No.8 Sant Nagar Burari, Delhi (in her bed room). She got married with Anshul on 16/02/2023. The marriage is less than 7 years old and the family member of deceased was present at hospital made allegations against her husband in-laws regarding torture and cruelty for dowry, Hence concerned SDM was informed telephonically. The dead body was preserve at Subzi Mandi Mortuary.

2. Crime Team was visit at the place of incident and inspection was conducted and photographs were also taken. Exhibits were seized and deposit at Malkhana through seizer memos. On 10.5.2024 Postmortem of deceased Pallvi was conducted at Subzi Mandi Mortuary in the presence of Sh. Raman V R Ex. Magistrate Civil Line vide PM No. 580/24 and he also examined and got recorded the statement deceased Pallvi's mother. After the postmortem dead body of deceased was handed over to her family members. During Postmortem exhibits were seized by the doctor and same were taken in to police possession through seizure memo.

3. On 10.5.2024 a case vide FIR No. 367I2024 under section 498A/304 B/34 IPC was registered at Police Station Wazirabad, Delhi on the statement of Smt. Sundari Devi W/o Pritam Singh R/o H. No, 89/N.S.C.I Staff Quarter Purana Quila Raod, New Delhi. In her statement complainant stated that she has five children (3 daughters and 2 sons). Her daughter Pallavi was married with Anshul on 16.2.2023 and in her marriage she and her family has spent according to their capacity and had given all house hold goods and jewellery but the husband and in laws of her daughter were not satisfied with the same and they used to torture and harass her on account of bringing less dowry and used to ask her to bring more dowry from her parents on the pretext that her husband is the only Son of his parents and was government servant. The complainant further stated that parents in laws of Pallavi used to demand car for their son i.e. husband of the deceased. She further stated that Pallavi had told her that Anshul comes home after drinking and used to beat her. The complainant in her statement further stated that on 29.4.2024 her husband telephoned father-in-law of Pallavi and requested him to send Pallavi to her parental home to take care of her mother as she was ill. Through they allowed Pallavi to go to her parental home bus instructed her to return to her matrimonial home on 2.5.2024. She further stated that though she was still ill, but husband and in laws of Pallavi forced her to return to her matrimonial home and so on 7.5.2024 they sent



Pallavi to her matrimonial home. She further stated that on 8.5.2024 Pallavi telephoned her and informed her that her husband and in laws are harassing her very badly and so she and her husband were planning to go to the matrimonial home of Pallavi on 10.05.2024 but on 9.5.2024 they received a phone call from the father in law of Pallavi who informed them that Pallavi has committed suicide by hanging herself. The complainant suspected that her daughter committed suicide as her husband and in laws used to torture and harass her on account of demand of dowry. All the accused persons including the applicant started harassing the deceased for demand of a car, the applicant also pressed the neck of deceased.

4. That after the registration of FIR investigation was carried out. During the course of investigation statements of witnesses were recorded, evidences were collected. On 11.05.24 applicant herein and co-accused karam Singh (father in law of deceased) were arrested and after the completion of investigation charge sheet was filed against all the accused persons, including the daughter and wife of the applicant herein. Presently the case is pending before the concerned court.”

4. Learned counsel appearing on behalf of the applicant submits that the latter was husband of the deceased. It is further submitted that the father of the applicant namely Karam Singh has already been granted bail by this Court *vide* order dated 08.01.2025 in **BAIL APPLN. 3757/2024**. It is further pointed out that the role of the present applicant is similar to that of the aforesaid Karam Singh as well as the mother in law of the deceased, i.e., Seema and sister in law, i.e., Disha who were arrayed as accused in the chargesheet without arrest.

5. Learned counsel appearing on behalf of the complainant submits that the latter has no objection if the applicant is granted bail. It is submitted by the learned counsel on instructions that the present complaint was filed out of some misunderstanding by the complainant and as a reaction to the unfortunate demise of her daughter. The complainant (Sundri Devi)



accompanied by her husband (Pritam Singh) are present in-person in Court today.

6. Learned APP appearing on behalf of the State submits that the offence is grave in nature and therefore, the application may not be allowed as the matter is at the stage of consideration of point of charge.

7. Heard the learned counsel for the parties and perused the records.

8. A perusal of the status report dated 25.02.2025 reflects that the allegations against the present applicant are similar to the other accused persons in the chargesheet i.e., the father in law, mother in law and sister in law.

9. The investigation is complete, chargesheet stands filed before the Court of competent jurisdiction. The applicant has been in custody since 11.05.2024.

10. In the totality of the facts and circumstances, the present application is allowed. The applicant is directed to be released on bail, on his furnishing a personal bond of Rs. 50,000/- with one surety of like amount, subject to the satisfaction of the learned Trial Court/Link Court, further subject to following conditions:

- i. The applicant shall not leave India without prior permission of the learned Trial Court.
- ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
- iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
- iv. The applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times.



v. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witness in any manner.

11. The application is allowed and disposed of accordingly.

12. Pending application(s), if any, also stand disposed of.

13. Needless to state, nothing mentioned hereinabove is an opinion on the merits of the case and any observations made are only for the purpose of the present bail application.

14. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.

15. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

MARCH 17, 2025/kr/sc

Click here to check corrigendum, if any