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

+ **BAIL APPLN. 1680/2025**

VEERPAL

.....Petitioner

Through: Mr. Rohit Tripathi, Advocate.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP for State.
SI Pravesh, PS: Mundka.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **01.05.2025**

CRL.M.A. 13313/2025 (seeking exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Petitioner shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

BAIL APPLN. 1680/2025

4. The present application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (formerly Section 439 of the Code of Criminal Procedure, 1973²) seeks regular bail in proceedings arising from FIR No. 0404/2022 registered under Section 498A/304B/34 of the Indian

¹ "BNSS"

² "Cr.P.C."



Penal Code, 1860³ at P.S. Mundka. Subsequently, the Applicant was charged under sections 498A/304B/302/34 of the IPC.

5. Brief facts, as set out by the Prosecution, is as follows:

5.1 On 24th March 2022, the Complainant Chote Lal reported to the police that his daughter Manisha, who had been married a year prior, was residing with her husband Veerpal (the Applicant), in a rented accommodation at Lekh Ram Park, Tikri, Delhi. On the said date, when he visited her, he found the room locked from the outside and received no response despite repeated knocking. Suspecting that something untoward may have occurred, he requested police intervention.

5.2. The information was recorded as DD No. 70-A and assigned to SI Amit for necessary action. SI Amit, along with SI Manisha and the complainant, proceeded to the location. The Complainant led them to the ground-floor room where his daughter lived with her husband.

5.3 Upon inspection, the room was found locked from the outside. SI Amit called the Mobile Crime Team from the Outer District, who arrived promptly and broke open the lock. Inside, a person was found lying on a mat, covered with a sheet. A stick was also found nearby. Upon removal of the sheet, the body of a young woman, approximately 18 years old, was revealed. She was identified by the Complainant as his daughter Manisha.

5.4. The Forensic Science Laboratory (FSL) team arrived at the scene and photographed and inspected the scene. Items recovered from the scene included a stole found to the right side of the deceased, a large piece of a woman's dhoti with a noose attached, near her feet, as if it was tied around her neck to hang herself, and another cut piece of cloth similarly fashioned

³ "IPC"



with a noose, as if it was made to tie a knot on a hook or somewhere else. It looked as if both the pieces of dhoti were of the same cloth, and they were cut and separated.

5.5 All items were seized and taken into police custody as evidence. The deceased was transported to Sanjay Gandhi Hospital, where the doctor confirmed she was “brought dead”.

5.6 A postmortem examination determined the cause of death as “asphyxia as a result of ante-mortem strangulation.”

5.7. The Applicant was arrested on 29th March, 2022.

5.8. During the course of the investigation, both parents of the deceased stated that Veerpal (the Applicant), had been persistently demanding dowry and subjecting Manisha to physical assault as well.

5.9. At present, the Trial is ongoing. The statements of key witnesses have been recorded, and they have clearly supported the case of the prosecution.

6. In the above background, counsel for Applicant, seeks regular bail urging following grounds:

6.1 The Applicant, a 26-year-old young man, has been falsely implicated in the present case at the behest of the deceased’s family members. There is no eye-witness or last seen witness to the incident.

6.2 The prosecution alleges that the Applicant committed the murder due to unfulfilled dowry demands. However, this allegation is unsupported by any evidence. Notably, there has never been any prior complaint or report indicating that dowry demands were made by the Applicant or his family.

6.3 Both the deceased and the Applicant are residents of District Shahjahanpur, Uttar Pradesh. They had relocated to Delhi approximately 5 to 6 months before the incident for better economic opportunities.



6.4 The prosecution's case is entirely based on circumstantial evidence, with no eyewitnesses to the alleged incident. Even after the examination of 10 prosecution witnesses, there is no credible evidence on record that would demonstrate that the Petitioner was last seen with the deceased or that he was present at crime scene, that would, justify invoking presumption under Section 106 of the Indian Evidence Act, 1872 against the Applicant.

6.5 From the statement of independent witnesses it is established that there were other tenants present in the building, where the deceased was found dead, and therefore, there is no basis to single out the Applicant for the alleged offence.

6.6 No incriminating evidence was found at the scene of the crime. Furthermore, even PW-12 HC Vinod and PW-15 Ct. Sonia, both members of the crime team, raised serious doubt on the theory of the prosecution that the body was found in the locked room.

6.7. The alleged demand for dowry was made during Diwali, while the incident in question occurred in March 2022. Hence, the Prosecution has failed to establish that there was a demand of dowry soon before the death of the victim.

7. Mr. Mukesh Kumar, APP for State, on the other hand, strongly, opposes the Bail Application. He emphasizes that offence alleged is of grave and serious nature and further submits that the statements of key witnesses have corroborated and supported the prosecution's case.

8. The Court has duly considered the aforementioned contentions. The trial is currently ongoing and is near conclusion. To date, 15 witnesses have been examined, with only a few remaining—both from the main charge sheet and the supplementary chargesheets. At this stage, the testimonies of



the witnesses examined thus far, *prima facie*, support the prosecution's case. The parents of the victim have deposed before the Trial court that there were demands of dowry. Mr. Shresth Dixit (PW-4), the landlord of the rented accommodation where the victim and the accused resided, has deposed before the Trial Court that he had heard from the neighbours living in the building that the Petitioner would get drunk and fight with his wife. Further, it is an undisputed fact that the marriage between the Applicant and the deceased took place merely a year prior to the incident. Given the circumstances under which the body of the deceased was recovered, with the door locked from the outside, and the overall facts presented at this stage, the invocation of the presumption under Section 106 of the Indian Evidence Act, 1872, is *prima facie* justified at this stage.

9. In such circumstances, considering the gravity of offence and the aforementioned facts, the Court is not inclined to enlarge the Applicant on bail.

10. Dismissed.

SANJEEV NARULA, J

MAY 1, 2025
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