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

+ **BAIL APPLN. 1956/2025**

**MANTI DEVI**

.....Petitioner

Through: Mr. Hirein Sharma, Mr. Vimal Tyagi,  
Mr. Balaji Pathak and Mr. Saurabh  
Goel, Advocates.

versus

**STATE NCT OF DELHI**

.....Respondent

Through: Ms. Richa Dhawan, APP for the  
State.

**CORAM:**

**HON'BLE MR. JUSTICE ARUN MONGA**

**ORDER**

**16.09.2025**

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1. The applicant herein is before this Court seeking regular bail, having remained under incarceration since 09.06.2023 in a criminal case arising out of FIR No. 289/2023 dated 07.06.2023 for the alleged offences punishable under Sections 304B of the IPC, registered at Police Station Mehrauli and chargesheet filed under Sections 304B, 498A, 34 of the IPC and Section 4 of the Dowry Prohibition Act.

2. Briefly speaking, per FIR, Subodh Kumar, a resident of Gaya, Bihar, lodged a complaint regarding the death of his sister, Suggi Kumari, who was married to Pawan Yadav in 2021 and was residing with him and his family at New Delhi.

2.1 After marriage, Suggi was continuously harassed and tortured by her husband, his parents Balkrishna @ Balkishan Yadav and Manti Devi, his



brother Muneshwar @ Anmol Yadav, and cousin Mahesh Yadav for dowry, despite repeated interventions and settlements by her brother.

2.2 On 04.06.2023, while she was seven months pregnant, Subodh received a call from Balkrishna Yadav stating that Suggi had fallen from the roof and was being taken to the hospital, and shortly thereafter, he was informed of her death.

2.3 On receiving PCR Call DD No. 149A, the police reached Fortis Hospital, Vasant Kunj, where MLC No. 7825/23 confirmed that Suggi had died during treatment. The body was shifted to AIIMS mortuary, inspected by the crime team, and later subjected to postmortem (PM No. 645/23), with viscera preserved. Investigation ensued and the applicant (husband of the deceased) and his parents were arrested.

3. In the aforesaid backdrop, I have heard the rival contentions and perused the case file.

4. Learned counsel for the applicant would argue on lines of grounds taken in the petition *inter alia* urging as below:-

4.1 That the FIR has been filed with *mala fide* intent to falsely implicate the Applicant in offences she has not committed, solely to tarnish her image in society. The allegations are vague and general, with no specific instance of dowry demand or instigation attributable to the Applicant.

4.2 That the complainant has made omnibus and sweeping allegations against the entire family without detailing any specific act of cruelty or dowry demand by the Applicant. The only allegation of demand relates to Rs. 50,000 and a motorcycle, which is not directed at the Applicant.

4.3 That on 29.05.2023, the Applicant had already lodged a complaint before the DCP against the deceased, alleging that she had threatened to



implicate the Applicant and her husband in a false dowry case. This prior complaint indicates the *mala fide* nature of the present FIR.

4.4 That the deceased was suffering from mood swings and had a tendency to inflict injuries upon herself. Due to this behaviour, CCTV cameras had even been installed in the house, which was mentioned in the Applicant's earlier complaint.

4.5 That at the time of arrest, the Applicant was not informed of the grounds of arrest, violating Article 22(1) of the Constitution and Section 50 of CrPC / Section 47 of BNSS, 2023.

4.6 That it is a settled principle that an accused is presumed innocent until proven guilty. Detention before conviction is not meant to be punitive but only to secure presence during trial. The prolonged incarceration without conclusion of trial cannot be justified.

4.7 That the investigation has been completed and the chargesheet filed on 04.09.2023. The Applicant has fully cooperated with the investigation, and no further recovery or custodial interrogation is required.

4.8 That the prosecution has cited 42 witnesses, including 18 public witnesses, and their examination will take considerable time. The Applicant has already undergone nearly 28 months of incarceration. In ***Savita v. State of Delhi: (2019) 10 SCC 29***, the Hon'ble Supreme Court granted bail to an accused who had undergone 27 months of custody in a dowry death case.

4.9 That the Applicant has clean antecedents, no prior criminal record, and no means or intention to influence witnesses or tamper with evidence. His continued incarceration serves no purpose.

4.10 That the Applicant is willing to furnish bail bonds and sureties to the satisfaction of this Court and undertakes to comply with all terms and



conditions imposed, including joining the investigation as and when required.

5. The learned APP for the State has opposed the bail application on the ground that there are clear and specific allegations of dowry demand and harassment against the accused/applicant. It is further contended that the applicant is not entitled to any relief at this stage, as there remains a genuine risk of him absconding, influencing or intimidating witnesses, and tampering with crucial evidence. If released on bail, she may attempt to evade judicial proceedings. An earlier regular bail application was dismissed by the Ld. ASJ (South) Saket Courts, *vide* order dated 09.05.2025.

6. I have heard the submissions of both sides and perused the case file. While certain arguments raised by the learned counsel for the applicant regarding his non-culpability may have some merit, those issues can only be adjudicated during the trial. However, at this stage, I am of the considered view that the applicant deserves to be released on bail during the pendency of the proceedings, for the following reasons.

7. Investigation is complete, chargesheet was filed on 04.09.2023, and applicant has cooperated fully. With 42 prosecution witnesses (including 18 public witnesses), the trial will take substantial time.

8. On perusal of the FIR, the only role attributed to the applicant, who is the mother-in-law, is in a vague and omnibus manner, namely that she, along with other family members, allegedly inflicted cruelty on the deceased. No details or particulars have been provided to indicate (i) whether any act of cruelty by the applicant directly contributed to the deceased's depression, or (ii) whether there was any proximate act attributable to the applicant that led the deceased to take the extreme step of



ending her life. These issues are, of course, matters for consideration by the learned Trial Court at the appropriate stage.

9. The applicant has already remained in custody since 09.06.2023, for the past 2 years, 3 months and 7 days, and the trial is moving at a snail's pace. This prolonged pre-trial detention, coupled with the slow progress of proceedings, are contributory factors for bail.

10. As regards the apprehension of tampering with evidence, there is nothing on record to substantiate it and such apprehension is therefore illusory. The primary purpose of bail is to secure the presence of the accused during trial, and there is nothing on record to suggest that the applicant would abscond, interfere with evidence, or influence witnesses. She has deep roots in society, no criminal antecedents, and thus is not a flight risk.

11. However, taking an overall view, I am of the opinion that this is a fit case for grant of bail to the applicant, particularly since she is a woman and entitled to the benefit of Section 437(2) Cr.P.C. (Section 480 BNSS).

12. As an upshot and taking wholesome view of the matter, the applicant is directed to be released on bail on furnishing of bail bond and surety to the satisfaction of the learned Trial Judge/Duty Judge as the case may be and subject to the usual conditions to be imposed by the learned trial Judge/Duty Judge.

13. The Trial Court shall, in addition to the usual conditions, obtain an undertaking from the applicant that she will not, in any manner, directly or indirectly, contact or approach the complainant or the family of the deceased.

14. Nothing observed herein above shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the



same is only for the purpose of the disposing of the present bail application.

15. Accordingly, the bail application stands disposed of.

**ARUN MONGA, J**

**SEPTEMBER 16, 2025**

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