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

+ **BAIL APPLN. 2840/2025**

DILSHAD

.....Petitioner

Through: Mr. M.L. Yadav, Mr. Harish Chand,
Mr. Anant Chittoria, Mr. Deepak
Kumar, Mr. Prashant, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Utkarsh, APP for the State with
SI Mahendra Patel, PS Narela.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

07.11.2025

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1. First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) read with Section 439 of the Code of Criminal Procedure, 1973, has been filed on behalf of the Petitioner, Dilshad, for grant of Regular Bail in FIR No. 234/2021 under Section 498A/302/304-B/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) and Section 3 & 4 of Dowry Prohibition Act.

2. It is submitted that on 08.06.2021, a PCR call was received that the husband and wife in the room, were not opening the gate, on which the Investigating Agency reached the residence where they met one Muskan @ Gullu, who informed that his brother, Dilshad and his wife, are not opening the door of the room. On the knocking by the Investigating Officer, Dilshad



came out of the room. On entering the room, it was found that Ms. Taruna, his wife, was lying on the floor in the middle of the room. The investigation reveals some strangulation marks on the neck of the deceased.

3. During investigations, Muskan @ Gollu, the co-accused (though discharged) and her husband, Imran, were examined. It was found that Dilshad had got married to Ms. Taruna, about six months back, because of their love affair. During inspection of the crime scene, CCTV cameras footage was collected. The Statement of the witnesses, were recorded and thereafter, the Charge-Sheet was filed in the Court.

4. The Bail is sought **on the ground** that he is in judicial custody for four years, five months. The case is based on circumstantial evidence. Out of 30 Prosecution witnesses, only two witnesses have been examined till date. Trial is going to take long. The co-accused, Amir and Mumina, have been granted Bail by the learned Metropolitan Magistrate on 20.09.2021. The co-accused, Muskan has been discharged on 20.07.2002.

5. Reliance is placed on Shabeen Ahmed vs. State of Uttar Pradesh, (SLP) (Crl.) 15156/2024, decided on 03.03.2025; Hussainara Khatton vs. Home Secy., State of Bihar and Guidant Narsimha & Ors. vs. Public Prosecutor, High Court of Andhra Pradesh, (1978) 1 SCC 240.

6. It is submitted that the Applicant is a law-abiding citizen and his family is facing hardships for the survival. He has clean antecedents. Hence, a prayer is, therefore, made for grant of Bail.

7. **Status Report** has been filed on behalf of the State. It is submitted that the Prosecution witnesses, who have examined, had fully supported the Case of the Prosecution. The allegations made against the Applicant, are grave and serious. He is charged with the offence of causing murder of his



wife, within six months of marriage and also for dowry harassment. If he is released, there is every likelihood that he may tamper with the Prosecution evidence and threaten the witnesses.

Submission heard and the record perused.

8. The Case of the Prosecution is that while the Applicant along with his wife were alone in the room which was locked from inside, on opening of the door, the Applicant came out but his wife was found lying on the floor. As per the Post-Mortem Report, the cause of death as asphyxia due to ante mortem manual strangulation.

9. The allegations made against the Applicant, are grave and serious. Though the Prosecution is taking sometime to record the Prosecution witnesses, but it is not a case where it can be said looking at the nature of allegations, that there is an inordinate delay in conclusion of the trial.

10. The Bail Application is hereby, dismissed and disposed of accordingly. The learned Trial Court, however, is directed to expedite the trial and make an endeavor to complete it within year.

NEENA BANSAL KRISHNA, J

NOVEMBER 7, 2025/RS