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

+ **BAIL APPLN. 3187/2025**

YUSUF

.....Petitioner

Through: Mr. Anil Hooda, Mr. Shafik Ahmad
and Mr. Satendra Baghel, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Lavkant, PS Pandav
Nagar.

Mr. Gaurav Soni, Advocate for
Compalinant.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **29.08.2025**

CRL.M.A. 24712/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

BAIL APPLN. 3187/2025

1. The applicant is before this Court seeking anticipatory bail owing to his apprehension of arrest arising out of FIR No. 0242/2025 dated 28.05.2025 for alleged offences under Sections 108, 3(5) of BNS, registered at Police Station Pandav Nagar, East Delhi.

2. Per the FIR, the ordeal of complainants' daughter, (masked as S), and her four-year-old child, (masked as A) is rather bone chilling and harrowing. Mother committed suicide by hanging on May 26, 2025 and before that she hanged her minor daughter too. The complainant alleges that the accused individuals—his daughter's husband, Waseem; mother-in-law, Salma;



father-in-law, Yusuf; and brother-in-law, Naseem—are responsible for the abetment of suicide due to their sustained cruelty and harassment.

2.1 The complainant's account outlines the alleged cruelty that began shortly after the marriage on April 14, 2014. The in-laws are said to have made persistent dowry demands, subjected his daughter to physical abuse, and even starved her. He specifically mentions a demand for ₹5 lakh for a business, which he could not meet.

2.2 Furthermore, the complainant details a series of depraved acts, including allegations that the in-laws coerced his daughter into undergoing multiple forced abortions, which severely impacted her health. He also recounts disturbing claims of sexual advances made by both the father-in-law and the brother-in-law.

2.3 The complainant states that despite repeated attempts to intervene and previously filed complaints with the police in 2017 and a domestic violence case in court, no effective action was taken. He tragically concludes that the relentless harassment, coupled with the loss of her child and the extreme pain she endured, led his daughter to take her own life and that of her child. An FIR has now been registered under relevant sections of the Bharatiya Nyaya Sanhita (BNS), and the court has ordered an investigation into these grave allegations.

3. The learned counsel for the applicant would further submit urging the following:

3.1 That the petitioner argues that his primary defense rests on the claimed lack of involvement, as the deceased had been living separately from the family for the past three years. Supporting this claim, the



application notes that the daughter-in-law had taken her belongings and moved to a rented accommodation in 2016, and the relationship between the families had been severed since 2021.

3.2 That the petitioner also challenges the need for custodial interrogation, citing their willingness to cooperate with the investigation. It is stated that they attempted to join the investigation as ordered by the court but were unable to do so because the investigating officer was not present at the police station. Furthermore, he would submit that a PCR call suggests the deceased's death was a suicide, which contradicts the claim that the petitioner was involved.

3.3 That it is submitted that the petitioner has a clean record and permanent residency, hence, not a flight risk. Reference is made to several Supreme Court judgments to argue that bail is the rule and arrest is the exception, especially when personal liberty is at stake. The petitioner also states that they are the sole breadwinner for their family.

4. Heard and perused the case file.

5. Prior to the instant application, bail of the applicant was rejected by the learned Sessions Judge vide an order dated 04.08.2025 which is, inter alia, premised on the reasoning that the record indicates that the present applicant's role as mentioned in the dying declaration of the deceased and the fact that the accused did not join the investigation despite repeated efforts. The offences attributed are grave in nature.

6. The impugned order dated 04.08.2025 also reveals the accused did not join the investigation and he did not meet the I.O. at his house whenever the I.O. tried to join him in the investigation.



7. Having perused the order dated 04.08.2025 passed by the learned Sessions Court dismissing the earlier anticipatory bail, I am in agreement with the view taken therein.
8. That apart I am of the view that suicide note is itself is self-explanatory.
9. The deceased, whether was repeatedly tortured for dowry, forced into 9–10 abortions, and subjected to sexual exploitation by the accused and his son, as alleged, are all matters of investigation in accordance with law. Her dying declaration names the accused and details the atrocities.
10. Taking the wholesome view of the matter, it is not a case where the applicant is entitled to the discretionary relief of anticipatory bail.
11. Accordingly, the present bail application stands dismissed.

ARUN MONGA, J

AUGUST 29, 2025/rs/nk