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

+ **BAIL APPLN. 4054/2024**

VICKY KUMAR

.....Petitioner

Through: **Mr. Ranjan Sharma and Mr. Pawan
Silmana, Advocates**

versus

THE STATE NCT OF DELHI

.....Respondent

Through: **Mr. Rajkumar, APP for the State with
Inspector Mohinder, P.S. Shahbad
Dairy.**

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

15.04.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 590/2021, registered at Police Station Shahbad Dairy, Delhi, for offences punishable under Sections 498A/304B/34 of the Indian Penal Code, 1860 (hereafter '*IPC*').

2. Briefly stated, the facts of the present case are that on 28.09.2021, a PCR call, *vide* DD No. 56A, was received at Police Station Shahbad Dairy, Delhi. Upon reaching the location, the police officials had found a woman hanging from a ceiling fan with the help of a dupatta. During the investigation, it was revealed that the deceased was named Pinky and that she had been married to one Vicky for three years. On 13.10.2021, the father of the deceased, Satbir, registered the present FIR. It was stated therein that the marriage between his daughter and the accused Vicky had been solemnised in September 2018, and she had been residing with her in-laws



since then. After her marriage, her husband—the present applicant—and her in-laws, including her mother-in-law Sunita, father-in-law Dinesh, and sister-in-law Jyoti, used to physically and mentally assault the deceased. The complainant further stated that the applicant's mother would often taunt the deceased, saying that if they had married the applicant within the village, to someone of a higher caste, they would have received a substantial dowry. The complainant also alleged that the accused persons continuously harassed his daughter for dowry and often threatened to throw her out of the house. As a result of this harassment, the complainant had provided various household items—including a 32-inch LED TV, a gas cylinder, a stove, utensils, a single bed, a dressing table, chairs, tables, and other items—to the in-laws of his deceased daughter a few months prior. Following these events, the present FIR was registered.

3. The learned counsel appearing on behalf of the applicant argues that no external injury has been found on the body of the deceased. It is argued that the allegations levelled against the present accused/applicant are false and fabricated. It is further argued that PW-1 Satbir, already stands examined and there are discrepancies in her statement. It is argued that the applicant herein is in judicial custody since 28.10.2022. It is further argued that there are no specific allegations of demand of dowry or any kind of cruelty inflicted by the applicant or his family members on the deceased. It is argued that the prosecution is attempting to shift blame, in absence of evidence, upon the applicant herein as there is delay in lodging the present FIR. It is argued that there has been no demand for dowry since the marriage and there has been no complaint regarding the same by the deceased or her family members. It is submitted that all the other accused persons have been



enlarged on bail by the learned Trial Court. It is, therefore, prayed that the applicant be released on regular bail.

4. The learned APP for the State, on the other hand, opposes the present bail application and argues that the allegations levelled on the applicant are serious in nature. The learned APP also draws this Court's attention to the complaint as well as to the testimony of PW-1 Satbir. It is argued that the allegations levelled against the present accused/applicant are not only specific but also the fact that the PW-1 had reached the spot and a quarrel had been going on between the present accused/applicant and the deceased and on the very next, the deceased had been found dead. It is further argued that the material witnesses in the present case are yet to be examined and there are high chances that the accused/applicant herein may threaten or influence the witnesses. It is submitted that the applicant herein had earlier absconded and evaded the due process of law. Therefore, it is prayed that the present bail application be rejected.

5. This Court has **heard** arguments advanced on behalf of both the parties, and perused the material on record.

6. As per the Status Report, during the course of investigation, statements of other witnesses/relatives of the deceased had been recorded, which corroborated the version of the complainant, who have levelled specific allegations against the in-laws of the deceased and the present applicant/accused that they used to continuously harass her, both mentally and physically, and also used to beat the deceased for non-fulfillment of demand of dowry and had forced her to commit suicide by hanging herself. During further investigation, accused namely Sunita had been arrested and other accused persons namely, Vicky Kumar (the applicant herein), Dinesh



and Jyoti had absconded. Thereafter, non-bailable warrants had been issued against the present applicant and his father. However, the present applicant had been arrested on 28.10.2022 and after completion of investigation, a supplementary chargesheet had been filed against him.

7. This Court has also perused the statement of PW-1 Satbir, father of the deceased, recorded before the learned Sessions Court, wherein he had stated that after her marriage, deceased Pinki was subjected to physical and mental harassment by her husband Vicky, his mother Sunita, father Dinesh, and sister Jyoti, primarily due to dowry demands. The accused frequently taunted her for not bringing sufficient dowry, and her in-laws also gave her medicines for ailments she did not have. Due to constant abuse, Pinki often returned to her parental home for extended periods. The complainant, in an attempt to meet the in-laws' demands, provided several household items including a 32-inch LED TV, stove, utensils, bed, dressing table, chairs, and tables. On 27.09.2021, Dinesh had informed him of a quarrel between Pinki and Vicky, after which Satbir and his wife went to Pinki's house and witnessed Sunita intoxicated and arguing with Vicky. Thereafter, Pinki had locked herself in her room, and did not respond to repeated calls. Upon entering the room from a neighbor's roof, they found her hanging from the ceiling fan with a dupatta, and an unidentified liquid was spilled on the bed sheet. The complainant had stated that Sunita had earlier taunted Pinki for not bringing adequate dowry and threatened to throw her out. After discovering the body, the accused had tried to prevent police involvement, urging the family to cremate the body quickly without a postmortem. The present applicant Vicky had taken the complainant's phone, returning it only the next day. A person named Mohan had called the police officials from



Sunita's phone. Upon arrival, police had noted injury marks on the body and had taken her to Hospital.

8. Considering the facts and circumstances of the present case, this Court finds that the allegations against the applicant are of a serious nature involving persistent harassment and alleged cruelty for dowry, which allegedly led to the unnatural death of the deceased. The testimony of PW-1, who is the father of the deceased, reveals that there were repeated instances of cruelty, both mental and physical, and the deceased had to reside at her parental home due to such ill-treatment. Furthermore, as per the Status Report, the applicant had initially absconded and was arrested only on 28.10.2022 after non-bailable warrants had been issued against him and that the investigation has also revealed that other witnesses have corroborated the complainant's version, and specific allegations have been levelled against the applicant and his family members.

9. Therefore, considering the overall facts and circumstances of the case, this Court finds no ground to grant bail to the present applicant.

10. Accordingly, the present bail application stands dismissed.

11. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

12. The order be uploaded on the website forthwith.

APRIL 15, 2025/zp

DR. SWARANA KANTA SHARMA, J

[Click here to check corrigendum, if any](#)