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

+ **BAIL APPLN. 4706/2024**

SHARDHA

.....Petitioner

Through:

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP for State.
Mr. Dharambir, ASI and Mr.
Parmjeet, SI, PS-Ranhola.
Mr. B. Shankar Yadav, Mr. Juber
Ahmad and Ms. Monika, Advocates
for Complainant.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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07.01.2025

1. Through the present application, the Applicant seeks anticipatory bail under Section 482 of the Bhartiya Nagarik Suraksha Sanhita [**BNSS**], 2023 in case FIR No. 0696/2024 dated 25th September, 2024 under Section 306/498A/506/34 of the Indian Penal Code, 1890 registered at P.S. Ranhola, Delhi.

2. The case of the prosecution is as follows:

2.1. On 27th April, 2024, upon receiving a PCR call, the IO along with staff reached the spot, where they found a lady hanging from a ceiling fan. A two-page suicide note was also found on the spot. The postmortem conducted and cause of death was attributed to the hanging. Thereafter, a written complaint was made wherein allegations have been made against the



in laws of the deceased. In the complaint, it has been alleged that the deceased, Smt. Rima Kumari, was being pressurised for dowry by her husband, her in laws, as well as the girl friend of her husband, which led to her committing suicide. Allegations of domestic violence have also been made against the husband. She has left behind one daughter who is now in the custody of parents of the deceased.

2.2. Specifically, the incident dated 11th April, 2024, is highlighted where the husband of the deceased beat her up when he came to know that the deceased had made call to his girlfriend. The Suicide note specifically mentioned the name of Ajay Kumar Manjhi (husband), Ramita Devi (Mother-in-law), Dhaneshwar Kumar Manjhi (Father-in-law), Sanjay Kumar Manjhi (brother-in-law), Poonam (wife of Sanjay Manjhi), Shardha Kumari (sister-in-law) and Naveen Bharti (alleged girlfriend of Ajay Manjhi). The Applicant i.e., Shardha Kumari, sister-in-law of the deceased, has thus been specifically named in the suicide note.

3. In view of the above and the serious nature of allegations made, the APP strongly opposes the Applicant's request for grant of bail.

4. The Court has considered the aforementioned contentions. On 20th December, 2024, the Court while granting interim protection to the Applicant had directed her to join the investigation as and when directed by the IO. The Applicant has joined the investigation. Furthermore, the Applicant undertakes to continuously appear before the IO as and when directed.

5. It is also pointed out that the husband of the deceased and his alleged girlfriend are presently in judicial custody. The chargesheet has been filed against the husband, his alleged girlfriend, as well as his parents. The names



of parents are mentioned in column No. 12 of the chargesheet. As far as the Applicant is concerned, who is the sister of the Victim's husband, it has been pointed out that she got married in the year 2022 and has been residing at her matrimonial home since then. Furthermore, in the suicide note, there is no specific allegation against the Applicant except for mentioning her name.

6. It is not in doubt that an order for grant of Anticipatory bail cannot be passed in a routine manner. At the same time, it cannot be denied that great amount of humiliation and disgrace is attached with the arrest. In cases where the accused has joined investigation and is cooperating with the Investigating Agency and is not likely to abscond, custodial interrogation should be avoided.

7. In light of the foregoing, the application is allowed. Consequently, the Applicant, in the event of arrest, is directed to be released on bail on furnishing a personal bond in the sum of Rs. 25, 000/- with one surety of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned, on the following conditions:

- a. The Applicant shall join and cooperate with the investigation as and when directed by the IO;
- b. The Applicant shall not leave the country without informing the IO/SHO concerned;
- c. The Applicant shall not influence any witness/complainant/victim or tamper with evidence of the case.
- d. The Applicant shall not visit or venture anywhere in the vicinity of the victim's house and the victim's family members.
- e. The Applicant shall also furnish proof of her residence to the



concerned IO;

8. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

9. Accordingly, the bail application along with pending applications, if any, is disposed of.

SANJEEV NARULA, J

JANUARY 7, 2025

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