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

+ **BAIL APPLN. 1122/2026**

VINOD KUMAR

.....Petitioner

Through: Mr. Pradeep Chowdhary, Mr. Vikrant
Chowdhary and Mr. Gaurav Kapoor,
Advts.

versus

STATE GNCT OF DELHI & ANR.

.....Respondents

Through: Mr. Manoj Pant, APP for the State.
Ms. Priyanka Rani and Mr. Tushar
Jaiswal, Advts. for R-2.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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19.03.2026

CRL.M.A. 8494/2026 & CRL.M.A. 8495/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing No.153/2025, registered at Police Station Karawal Nagar, Delhi for the commission of offences punishable under Sections 85/89/3(5) of Bhartiya Nyaya Sanhita 2023 (hereafter 'BNSS') and Section 23(3) of Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (hereafter 'PCPNDT').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. Briefly stated, the facts of the present case are that on 10.02.2025,



vide DD No. 87A, information was received regarding the death of the sister of the caller. The deceased, who was the mother of two daughters, was pregnant at the relevant time. It is alleged that during her third pregnancy, the son of the present applicant (i.e., husband of the deceased) had informed the complainant that an ultrasound examination had revealed that the fetus was female. It is further alleged that thereafter, the deceased was taken to Dhanvantri Hospital on 08.02.2025, where her pregnancy was terminated. Subsequently, the deceased developed complications, and she was taken to GTB Hospital, Delhi, where she was declared brought dead on 10.02.2025. During the course of investigation, the statement of the father of the deceased was recorded, who stated that the deceased had been married to the son of the present applicant in the year 2020 and had given birth to two daughters. He alleged that on account of this, the deceased was subjected to taunts by her matrimonial family. It was further stated that when the deceased conceived for the third time, information was conveyed that the fetus was female, following which she was taken for termination of pregnancy. It is further the case of the prosecution that after the said procedure, the deceased developed infection, which ultimately led to her death.

6. The learned counsel for the applicant/accused submits that the present applicant is a law-abiding citizen and a senior citizen, who is suffering from various ailments, including respiratory issues, blood pressure, and asthma, and is also burdened with family responsibilities. It is submitted that the applicant has been in judicial custody since 17.12.2025 and has been falsely implicated in the present case in connivance with the complainant. It is further contended that there is an unexplained delay of nearly three months



in registration of the FIR, as the alleged incident occurred on 10.02.2025, whereas the FIR was registered only on 09.05.2025, which casts doubt on the prosecution story. Learned counsel further submits that the investigation in the present case is complete and the chargesheet has already been filed; however, a perusal of the same would show that there are no specific allegations against the present applicant regarding the alleged miscarriage. It is also argued that the doctor, namely Dr. Vinod Kumar Satpathi, who allegedly conducted the procedure, has been placed in column no. 12, and as per the medical opinion, the deceased had herself consumed contraceptive pills, which led to the termination of pregnancy. It is thus contended that no direct role is attributable to the present applicant in the alleged offence. It is lastly submitted that the applicant undertakes to join the proceedings and abide by any condition imposed by this Court, and thus prays for grant of bail.

7. The learned APP for the State, on the other hand, has opposed the present bail application and submitted that the applicant/accused is involved in the commission of serious offences along with other co-accused persons. It is contended that the allegations pertain to illegal sex determination and subsequent termination of pregnancy, which resulted in the death of the deceased, and such offences have far-reaching social implications and cannot be viewed lightly. It is further submitted that the role of the present applicant cannot be seen in isolation, as he is a part of the family within which the alleged acts were carried out, and the prosecution case indicates a concerted involvement of the accused persons. Learned APP argues that the investigation has revealed circumstances pointing towards a shared intent and common design, and therefore, the applicant cannot seek to distance



himself at this stage by claiming absence of direct involvement. It is also contended that the material witnesses in the present case are closely connected to the deceased and the accused persons, and in the event the applicant is released on bail, there exists a reasonable apprehension that he may influence or intimidate such witnesses. Further, considering the nature of evidence, including medical and documentary records, there is also a likelihood of tampering with evidence. It is thus submitted that in view of the gravity of the allegations, the stage of the proceedings, and the potential impact on the course of trial, the applicant does not deserve the concession of bail, and the present application is liable to be dismissed.

8. This Court has heard the arguments advanced on behalf of the learned counsel for the applicant as well as the learned APP for the State, assisted by the learned counsel for the complainant, and has carefully perused the material placed on record.

9. At the outset, this Court notes that the allegations in the present case arise out of the death of a pregnant woman under circumstances which, allegedly point towards illegal sex determination and termination of pregnancy. Though the present applicant is the father-in-law of the deceased, the prosecution case indicates that the acts in question were not isolated but occurred within the fold of the matrimonial household, thereby suggesting a possible shared knowledge and involvement of family members.

10. This Court notes that, as per the material collected during investigation, the applicant was present at Dhanwantri Hospital on 08.02.2025 when the deceased had been admitted for treatment. This fact is stated to be supported by other material on record. The presence of the



applicant at the relevant time and place, therefore, assumes significance at this stage and indicates his alleged connection with the sequence of events leading up to the incident, which cannot be brushed aside while adjudicating the present application.

11. This Court further observes that the material collected during investigation reflects that the deceased was taken for ultrasound examination, following which, upon allegedly learning that the fetus was female, she was taken for termination of pregnancy. The sequence of events, including her admission to the hospital with complaints of heavy bleeding and subsequent death due to complications, forms a continuous chain which is yet to be tested during trial. At this stage, the role of each accused, including the present applicant, cannot be minutely dissected, particularly when the prosecution alleges a common design.

12. The contention of the learned counsel for the applicant that the medical opinion suggests voluntary consumption of pills by the deceased, are matters which require appreciation of evidence and cannot be conclusively determined at this stage. Similarly, the plea regarding delay in registration of FIR, though noted, does not, by itself, dilute the gravity of the allegations in the present case.

13. This Court also takes into account that the chargesheet has been filed; however, charges are yet to be framed and material witnesses are yet to be examined. Considering that the witnesses are closely related to the deceased and known to the accused persons, the possibility of their being influenced cannot be ruled out at this stage.

14. The nature of allegations, particularly those relating to sex determination and termination of pregnancy on the basis of gender, raise



serious concerns. Such acts, if established, reflect a deeply concerning social issue which the law seeks to address firmly. In such circumstances, this Court is not inclined to extend the benefit of bail to the applicant at this stage.

15. Accordingly, having regard to the overall facts and circumstances of the case, the nature and gravity of the allegations, and the stage of the proceedings, this Court is of the considered view that no ground for grant of bail is made out.

16. The present bail application is, therefore, dismissed.

17. It is clarified that nothing stated herein shall be construed as an expression on the merits of the case.

18. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 19, 2026/A/TS