



\$~8

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

+ **BAIL APPLN. 4440/2025**

GUDDI DEVI

.....Applicant

Through: Mr. M.L. Yadav, Mr. Harish Chand, Mr. Anant Chittoria, Mr. Deepak Kumar, Mr. Prashant, Mr. Piyush Saini, Advs.

versus

STATE (N.C.T.OF DELHI)

.....Respondent

Through: Mr. Aashneet Singh, APP.
Insp. Gajendra Singh, PS
DIU/NWD, Delhi
Insp Ravi Prakash, PS Jaffarur
Kalan, Delhi

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **30.03.2026**

1. By way of the present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with FIR No. 49/2022 dated 08.02.2022, registered at Police Station Jaffarpur Kalan for offences punishable under Section 302 of the Indian Penal Code, 1860 ["IPC"].
2. I have heard Mr. M.L. Yadav, learned counsel for the applicant, and Mr. Aashneet Singh, learned Additional Public Prosecutor. The sister-in-law of the deceased is also present in Court and supports the submissions advanced by Mr. Singh.
3. Mr. Singh has tendered the status report dated 13.01.2025, which is



taken on record. As per the prosecution, the case arises from the recovery of the dead body of a 24-year-old male from a *nala* on 08.02.2022, pursuant to information received by the authorities. The body was identified by his sister-in-law, Guddi Devi, as that of Sonu, a labourer stated to be associated with one Daulat Ram. She disclosed that approximately four days prior to the incident, the deceased had informed her that he intended to visit the residence of Daulat Ram, but thereafter failed to return. During the course of investigation, Daulat Ram, along with his wife [the present applicant] and children, was found at his residence bearing Plot No. 440, Gali No. 2, Hans Nagar Colony, Pandwala Kalan, allegedly attempting to flee. Both Daulat Ram and the present applicant were apprehended on 09.02.2022 and formally arrested on the same day.

4. It is the case of the prosecution that, during interrogation, both accused persons made disclosures admitting to their involvement in the commission of the murder of the deceased on the intervening night of 04/05.02.2022. The status report further records that the deceased was in the habit of visiting the residence of the accused in the absence of Daulat Ram to meet the present applicant. On the night of the incident, Daulat Ram is stated to have found the deceased forcibly taking the present applicant towards the rear portion of the house, which led to an altercation between them. It is alleged that the deceased was carrying a country-made pistol (*desi katta*), which was allegedly snatched by Daulat Ram, who thereafter fired at the deceased, purportedly at the instigation of the present applicant. Following the incident, the accused persons are alleged to have disposed of the body in a *nala* and discarded the mobile



phone and other incriminating articles, including live cartridges, in another *nala*. The weapon of offence, along with live cartridges and mobile phones, is stated to have been recovered at the instance of the accused persons. It is further recorded that the exhibits lifted from the scene of crime, including the clothes of the deceased and blood-stained soil, were found to be consistent with the DNA profile of the deceased.

5. Mr. Yadav submits that the applicant has been in custody for over 4 years and that most of the material witnesses have already been examined. He further contends that the case against the applicant is primarily based on alleged confessional statements and is largely circumstantial in nature. It is also submitted that the applicant has four children, aged between 7 and 16 years, who are presently being cared for by an NGO, as both the applicant and her husband are in judicial custody in connection with the present FIR.

6. Mr. Singh draws my attention to the gravity of the offence and submits that the weapon of offence has been recovered at the instance of both the accused, including the present applicant. He further points out that the testimony of the diver, who allegedly recovered the weapon from the *nala*, is yet to be recorded.

7. Notwithstanding the seriousness of the allegations and the recovery attributed to the applicant and the co-accused, Daulat Ram, I am of the view that the applicant, being a woman who has remained in judicial custody for over 4 years, is entitled to the concession of bail.

8. It is not in dispute that most of the material witnesses have already been examined, with only the diver yet to be examined. The prosecution has relied upon the alleged recovery of the weapon of offence at the



instance of the accused persons, including the present applicant; however, the same is a matter of evidence, and the evidentiary value whereof shall be tested during trial.

9. I am also conscious of the fact that the applicant has 4 children, the youngest of whom is approximately 7 years old, who are presently being cared for by an NGO, as both their parents remain in judicial custody.

10. For the aforesaid reasons, it is directed that the applicant be released on regular bail in connection with FIR No. 49/2022 dated 08.02.2022, registered at Police Station Jaffarpur Kalan under Section 302 of IPC, subject to furnishing a bail bond in the sum of Rs. 20,000/- with one surety of the like amount, to the satisfaction of the Trial Court/Duty Magistrate, and subject to the following conditions:

- a) The applicant shall appear before the Sessions Court on every date of hearing as fixed;
- b) The applicant shall furnish her permanent address to the concerned Investigating Officer [“IO”]/Station House Officer [“SHO”], as well as the address at which she is residing during the pendency of the case, and shall, in the event of any change in her residential address, promptly intimate the IO/SHO and file an affidavit before the Sessions Court;
- c) The applicant shall furnish her mobile number to the concerned IO/SHO and ensure that the number remains operational and switched on at all times. The mobile number shall not be changed, nor the phone switched off, without prior intimation to the IO/SHO;
- d) The applicant shall not, directly or indirectly, contact, visit, or offer



any inducement, threat, or promise to any prosecution witnesses or other persons acquainted with the facts of the case;

- e) The applicant shall not, directly or indirectly, tamper with evidence or engage in any act or omission that could prejudice the proceedings of the pending trial;
- f) The applicant shall not commit any offence during the pendency of the proceedings.

11. The bail application is disposed of in the aforesaid terms.

12. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application and shall neither influence the trial proceedings nor be construed as an expression of opinion on the merits of the case.

13. A copy of this order be communicated to the concerned Jail Superintendent electronically for necessary information and compliance.

PRATEEK JALAN, J

MARCH 30, 2026

tg/SD/