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

+ **BAIL APPLN. 4684/2025**

NEERAJ

.....Petitioner

Through: Mr. Chandan Kumar Mandal, Mr.
Mohd. Salman, Mohd. Talib and
Mr. Mohd. Rahil, Advocates

versus

THE STATE GNCT OF DELHI

.....Respondent

Through: Mr. Satish Kumar, APP with Ms.
Divya Bakshi, Advocate and SI
Shubham, PS-Khajuri Khas.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

07.04.2026

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1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant seeks grant of regular bail in proceeding arising out of FIR No.245/2025 dated 01.06.2025 registered at PS.: Khajuri Khas, Delhi (**PS**) under *Sections 85/80(2)/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**).

2. At the very outset, learned APP for the State upon instructions from the Investigating Officer submits that though the kith and kins of the deceased have since been served, however, they are not appearing before this Court, in such circumstances, this Court proceeds to hear the present bail application.

3. *Succinctly put*, it is the case of prosecution that a PCR call was received regarding hanging of a woman. Acting thereupon, on reaching



the place of occurrence, Police found that the victim/ deceased had already been rushed to the Hospital by her husband/ applicant herein. By the time the Police reached the Hospital, the deceased had already been declared dead. Subsequently, as per the Doctor's opinion in the post-mortem report, the cause of death was "*asphyxia due to hanging*". Thereafter, on the basis of the statement of Shiv Shankar i.e., father of the deceased, the present FIR came to be registered wherein it was alleged that the deceased had committed suicide owing to mental harassment meted out to her by her in-laws over unlawful demands of dowry. During investigation of the crime scene, no suicide note was recovered.

4. In these facts, learned counsel for the applicant seeking release of the applicant on regular bail submits that **[i]** the applicant, being a person with clean antecedents, has been falsely implicated in the present case; **[ii]** the allegations against the applicant are general, omnibus and vague in nature; **[iii]** the applicant was not present at the place of occurrence when the deceased allegedly committed suicide; **[iv]** the applicant is in custody since 02.06.2025 and investigation stands concluded and the chargesheet filed; **[v]** the trial is at the stage of framing of charges and it is very likely that conclusion of trial will take time; and lastly **[vi]** the mother of the applicant, who is similarly placed, has already been granted anticipatory bail by the learned Sessions Court, North-East District, Karkardooma Courts, Delhi, vide order dated 17.07.2025.

5. *Per contra*, learned APP for State, relying upon the Status Report, opposed grant of bail and submits that **[i]** the allegations against the applicant are serious in nature; **[ii]** the deceased prior to her suicide had conversations with her parents in which she had specifically disclosed



that her husband/ applicant herein and her mother-in-law were subjecting her to physical as well as mental cruelty/ torture, which stands corroborated by the CDR; [iii] the applicant had been making persistent demands for dowry, including a motorcycle; [iv] the family member of the deceased have categorically alleged that the applicant was responsible for the death of the deceased; [v] the family of the deceased has produced the bank statement to show transfer of an amount of Rs.1,00,000/- to the account of the deceased, which was allegedly made under coercion and in furtherance of the dowry demands; and lastly [vi] there exists a strong likelihood of the applicant absconding or otherwise evading the process of law.

6. Heard learned counsel for the parties and perused the record.

7. Want, demand, hunger, desire and greed after marriage often lead to demands of dowry, which if not fulfilled also lead to dowry deaths. All these are menace to the Society and strikes at the very root of Society. It is nothing but a social evil having wide ramifications both emotionally and financially, as also in the rapid pacing world of technology.

8. Facts herein disclose that as per prosecution, the deceased, a young woman, who had an arranged marriage with the applicant was/ is a victim of demand(s) made by the applicant and his mother, already out on bail.

9. In such circumstances, due weightage has to be given to few relevant characteristics like [a] the stage when the deceased committed suicide, [b] what were the prevailing circumstances then, [c] the *modus operandi*, if any, of the applicant, [d] the nature and gravity of the offence involved and the nature of evidence required therein, especially, whence there is no eye witness and the deceased has expired, [e] if the applicant is



convicted, what is the severity of punishment and period involved therein, and *[f]* the chances of tampering with the witnesses and/ or hampering the on-going evidence/ trial of the proceedings, amongst others while considering granting bail to the applicant.

10. Recently, the Hon'ble Supreme Court in ***Yogendra Pal Singh v. Raghvendra Singh Alias Prince and another: 2025 INSC 1367*** while dealing with a case of dowry death, observed that such an offence, being a heinous societal evil, strikes at the very root of social justice and gender equality. In fact, relying upon ***Social Action Forum for Manav Adhikar v. Union of India: (2018) 10 SCC 443*** and ***Shabeen Ahmad v. State of U.P.: (2025) 4 SCC 172***, the Hon'ble Supreme Court further held that grant of bail in such cases despite strong incriminating material not only jeopardises a fair trial, but also undermines public confidence in the justice delivery system and erodes the deterrent object of *Sections 304B and 498A IPC* by normalising violence against women.

11. In this backdrop, based on the case of the prosecution and the supporting evidence therewith and based on what has been canvassed by learned APP, including the fact that the deceased prior to her suicide had allegedly told her parents that the present applicant and her mother-in-law were subjecting her to torture in connection to a dowry demand, and that the family of the deceased had transferred an amount of Rs.1,00,000/- to the bank account of the deceased allegedly in furtherance thereof, as also that the brother of deceased in his *Section 180 BNSS* statement has categorically stated that the applicant raised a demand for a motorcycle at the time of his wedding, it is too early for this Court to release the applicant on regular bail at this stage. In fact, when viewed cumulatively,



the aforesaid cannot be brushed aside at this stage, more so in view of the legal position elaborated hereinabove in *Yogendra Pal Singh (supra)*, *Social Action Forum for Manav Adhikar (supra)* and *Shabeen Ahmad (supra)*.

12. Moreover, since the trial is at a nascent stage with charges yet to be framed and the possibility of the applicant influencing the material witnesses or impeding the course of justice cannot be ruled out at this stage.

13. *Ergo*, in view of the aforesaid discussions, this Court finds no reason to release the applicant on regular bail and as such, the present application is dismissed.

14. Needless to say, the expression of opinion herein, if any, will have no bearing on the overall merits/ trial involved later.

SAURABH BANERJEE, J

APRIL 7, 2026/NA