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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 128/2026**
GAURAV @ SUNNYPetitioner

Through: Mr. Hirein Sharma with Mr. Vimal Tyagi, Mr. Sudhanshu Tyagi, Mr. Balaji Pathak, Mr. Saurabh Goel, Mr. Rajendra Singh, Advocates.

versus

STATE NCT OF DELHIRespondent

Through: Mr. Sunil Kumar Gautam, APP with SI Amit Bhardwaj and Inps. Ajay Kumar.
Mr. Vijay Kingri, Adv (DHCLSC) with complainant and father of deceased.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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27.04.2026

1. The applicant seeks regular bail in case FIR No. 277/2022 dated 22.05.2022 registered at P.S. Najafgarh for commission of offence under Section 498A/304B/34 of IPC.
2. As per the case of the prosecution, the applicant got married to deceased on 15.03.2021. The deceased was maltreated on account of bringing insufficient dowry and, on 21.05.2022, she committed suicide at her matrimonial home by hanging herself.
3. The statements of the relatives of the deceased were recorded and one diary, allegedly written by the deceased, was also taken into possession and, based on investigation, a charge-sheet under Section 498-A/304B/354/34 IPC was filed.

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4. There are three accused i.e. Gaurav @ Sunny (husband), Bharat Ahuja (*dewar* of the deceased) and Kamlesh (mother-in-law of the deceased).
5. Admittedly, the other two co-accused are already on bail, with Kamlesh having been released on anticipatory bail.
6. There is no dispute with respect to the fact that the death is by way of suicide as, according to the Autopsy Surgeon Report also, death was due to "*asphyxia following ante mortem ligature hanging*".
7. At the time of the alleged suicide, victim was already pregnant.
8. Learned APP for the State and learned counsel for the applicant oppose the bail application for the reason that at the time of the alleged suicide, which was consequent upon the cruelty meted out to her, she was in a family way and, therefore, it is a case where two lives have been snatched away. They also submit that there are specific allegations against accused/applicant and the relatives of the deceased have also supported the case of prosecution *in toto*.
9. Learned counsel for the applicant submits that there are thirty-two prosecution witnesses and the prosecution has already examined thirteen prosecution witnesses, including all the material public witnesses. He submits that since the two co-accused of the applicant has already been enlarged on bail, keeping in mind the abovesaid fact and the fact that the incarceration period is of four years, the applicant now deserves to be released on bail as there is no likelihood of trial getting completed in near future.
10. He also strongly relies upon the observations made by the learned Coordinate Bench while releasing accused Kamlesh on bail. In such order dated 13.03.2023, learned Coordinate Bench had observed that the personal diary of the deceased had no specific entries showing any demand of dowry



by her husband or in-laws. Similarly, reliance has also been placed upon the observations appearing in order dated 28.02.2024 whereby co-accused Bharat was enlarged on bail.

11. Admittedly, the material public witnesses have already been examined and the diary in question has also been duly exhibited before the learned Trial Court.

12. Since the trial is mid-way and public witnesses have been examined, it will not be appropriate for this Court to make any observation either way, lest it may influence the mind of the learned Trial Court.

13. Fact, however, remains that the co-accused are already on bail and the present applicant is also in custody for four years, keeping in mind the abovesaid aspects and without making observations over the merit of the case, the applicant is directed to be released on regular bail on his furnishing a personal bond in the sum of Rs.50,000/- with one surety of like amount to the satisfaction of the concerned Jail Superintendent/Duty M.M./Trial Court. The bail would be, however, with the conditions as appearing in order dated 28.02.2024 when his brother Bharat was enlarged on bail.

14. Application stands disposed of in aforesaid terms.

15. A copy of this Order be immediately sent to the learned Trial Court and Jail Superintendent for information and necessary compliance.

MANOJ JAIN, J

APRIL 27, 2026/sw/pb