



* IN THE HIGH COURT OF DELHI AT NEW DELHI

Reserved on: January 07, 2026
Pronounced on: January 31, 2026

+ **BAIL APPLN. 4416/2025**

KULDEEP SINGHApplicant

Through: Mr. Pramod Kumar, Mr. Ajay Yadav,
Ms. Kanti Tiwari and Ms. Piyushi
Garg, Advs.

Versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Ms. Meenakshi Dahiya, APP for
State with Mr. Bhuman Bansal, Adv.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

JUDGMENT

1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ read with *Section 439* of the Code of Criminal Procedure, 1973², the applicant seeks grant of regular bail in proceedings arising out of FIR No.176/2021 dated 18.06.2021 registered under *Sections 302/304B/498A/34* of the Indian Penal Code, 1860³ at PS: Maidan Garhi, Delhi.

2. As per FIR, the deceased daughter of the complainant⁴ after marriage with the applicant as per Hindu rites and customs on 26.04.2021 was residing with him at Plot No.10, Gali No.1, Asola Fatehpur Beri, New

¹ Hereinafter 'BNSS'

² Hereinafter 'Cr.P.C.'

³ Hereinafter 'IPC'

⁴ Hereinafter 'deceased'



Delhi. Though to fulfil the dowry demands of the applicant and his family⁵, the complainant gave numerous articles, however, the deceased was harassed by her in-laws after marriage. So much so, she was even threatened to kill her for not bringing dowry and was not allowed speaking to the complainant. It was only after making repeated calls to the applicant that he brought the deceased to the complainant's residence in Uttarakhand, but once again made demands for a car and/ or cash by selling *one bigha* of his land. Upon refusal, the applicant took the deceased back to Delhi on 16.06.2021, telling the complainant that he will not be able to meet his daughter again.

3. On 17.06.2021 at 09:00 AM, the complainant received a phone call from his relative informing him that the deceased had been killed by the applicant, his parents and his brother. Pursuant to a PCR call, the ASI arrived at the house of the applicant to discover the deceased's body, whereafter, a post-mortem was conducted at the AIIMS Hospital. An FIR was accordingly registered against the applicant, his parents and his brother.

4. All the accused were arrested and taken under judicial custody on the very same day of registration of the FIR. Thereafter, charge-sheet has also been filed under *Sections 302/304B/498A/34 IPC*.

5. After rejection of the first Bail Application by this Court, Special Leave Petition thereagainst was also dismissed. Hence, the present second Bail Application by the applicant.

6. Learned counsel for the applicant, at the outset, seeks to rely upon the aforesaid order dated 30.06.2025 passed by the Hon'ble Supreme Court

⁵ Hereinafter '*in-laws*'



in SLP (Crl.) No.33242/2025 whereby liberty was granted to the applicant to repeat his prayer for bail before this Court, if the trial did not conclude within the next *four months*. Based thereon, and since more than the said period of *four months* has lapsed, and till now only *14* of the *33* witnesses of the prosecution have been examined, and the applicant is facing incarceration since over *4½ years*, he seeks grant of bail.

7. Learned counsel submitted that the applicant has no previous antecedents and there were no prior incidents of violence/ quarrels reported between the applicant and the deceased prior to the incident, and the allegations *qua* demands for dowry are wholly baseless, being false and fictitious. In fact, as per him, the incident was a result of a sudden quarrel between the applicant and the deceased after the applicant was under the influence of a large quantity of alcohol.

8. Learned counsel further submitted that there are several contradictions in the statements, especially in the cross-examination of the witnesses already examined. Lastly, the learned counsel submitted that the applicant does not have any criminal antecedents, residing permanently at his recorded address, and would have no chances of tampering with the evidence, particularly since the main witnesses of the prosecution have already been examined.

9. Based on the aforesaid submissions, learned counsel for the applicant sought grant of bail to the applicant.

10. Status Report was called for and the Nominal Roll was also requisitioned from the concerned Jail Authorities.

11. Learned APP for the State opposes the present application and submitted that since the incident took place within a mere period of *two*



months of the marriage of the applicant with the deceased, there is a strong presumption against the applicant. During investigation, Call Details Record of the applicant clearly shows his presence at the place of occurrence during the time of commission of the offence.

12. Based on the post-mortem report (PMR) No.865/2021, learned APP submitted that there were *33 injuries* on the body of the deceased victim, *three injuries* due to smothering, *four injuries* due to manual strangulation and *26 injuries* due to blunt force impact, showing the gravity and heinousness of the offence, and the brutality with which the deceased victim has been murdered. Further, the statements of the prosecution witnesses clearly show that the deceased victim was harassed with demands for dowry prior to the murder.

13. This Court has heard the learned counsel for the applicant and the learned APP for the State and perused the Status Report as also the other documents on record.

14. Due weightage has to be given to the factum that this is a case of unnatural death, a brutal one of a young bride by her own husband within *two months* of their marriage. Recently, the Hon'ble Supreme Court in *Yogendra Pal Singh vs. Raghvendra Singh Alias Prince*⁶ while dealing with a case of dowry death being a heinous societal evil striking at the very root of social justice and gender equality, held that the statutory framework of *Sections 304B* and *498A* IPC read with *Section 113B* of the Indian Evidence Act, 1872 have to be given due weightage and consideration, along with the material against the accused. In fact, relying upon *Social*

⁶ 2025 INSC 1367



Action Forum for Manav Adhikar vs. Union of India⁷ and **Shabeen Ahmad vs. State of U.P.**⁸ the Hon'ble Supreme Court 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.

15. Considering the aforesaid, as also that the deceased met with her fate within *two months* of her marriage and that too after suffering as many as 33 injuries in different parts of her body, of which few were blunt enough. This Court herein is dealing with an application where the applicant is seeking bail, and the testimonies with (in)consistencies, if any, have to be given such weightage which are contrary to the earlier stand(s) taken by the complainant and/ or the prosecution. There is nothing of such nature herein.

16. Regarding the period of *four months* granted by the Hon'ble Supreme Court in SLP (Crl.) No.33242/2025, which has since expired, is itself not sufficient as the applicant is unable to show any change in circumstances since then.

17. Further, although it is the case of the applicant that mere 14 of the 33 witnesses have been examined as yet, however, it is not his case that there has been any delay attributable to anyone else. Also, considering the proximity of the applicant to the surroundings and evidence, the gravity of the offence in a short span of marriage, stage of proceedings, as well as the severity of punishment upon conviction, due merit is to be given to the likelihood of the applicant engaging in tampering of witnesses/ evidence.

⁷ (2018) 10 SCC 443

⁸ (2025) 4 SCC 172



18. Thus, taking an overall view of the facts and circumstances, especially the legal position elaborated hereinabove in *Yogendra Pal Singh (supra)*; *Social Action Forum for Manav Adhikar (supra)*; and *Shabeen Ahmad (supra)*], this Court is not inclined to allow the present application. In fact, keeping in view the dictate of the Hon'ble Supreme Court, considering the brutality of the offence *prima facie* evident from the PMR and the evidence against the applicant, along with the statutory presumption against him, it would be against the legislative intent as well as public interest behind *Sections 304B/498A IPC*, if the applicant is released on bail.

19. Accordingly, the present application is dismissed.

20. Needless to say, the observations made hereinabove, if any, on the merits of the case is of a *prima facie* nature, purely for the purposes of adjudicating the present application, and shall have no bearing in the ongoing trial against the applicant.

SAURABH BANERJEE, J.

JANUARY 31, 2026/Ab/RS