



2026:DHC:1107



\$~10

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 10.02.2026

+ **BAIL APPLN. 2976/2025**

VIKAS DUBEY

.....Petitioner

Through: Mr. Vikram Pratap Singh, Mr. Ishita Bedi and Mr. Dushyant Pratap Singh, Advocates.

versus

THE STATE OF NCT OF DELHIRespondent

Through: Mr. Hemant Mehla, APP for State with ASI Raj Kumar.

Mr. Tarunjeet Singh Jolly, Mr. Manish Kumar and Mr. Tarandeep Singh, Advocates for respondent no.2.

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The accused/applicant seeks anticipatory bail in case FIR No. 34/2025 of PS Metro Police Station Ghitorni for offence under Section 108/3(5) BNS. I have heard learned counsel for accused/applicant as well as learned APP for State and learned counsel for complainant *de facto*.
2. Broadly speaking, the prosecution case is as follows. In the night



intervening 03.06.2025 and 04.06.2025, an information was received at PS Ghitorni Metro about a person having jumped before an approaching metro train at Chhatarpur Metro Station. On being shifted to AIIMS Trauma Centre, the injured was declared brought dead. In the course of investigation, the deceased was identified and from her shoulder bag, some registers, a college identity card, mobile phone and suicide note were recovered. In the said suicide note, written in Hindi, the deceased blamed her husband (*the accused/applicant herein*) as the culprit who compelled her to take her life. Further, during investigation on the basis of contents of the suicide note, the investigating officer also retrieved the mobile phone conversations between the deceased and the accused/applicant. Those conversations had been recorded by the deceased in her mobile phone and she disclosed in her suicide note having recorded the same.

3. In the above backdrop, learned counsel for accused/applicant submits that no offence of abetment to suicide is made out in this case. It is contended that in order to make out the case for abetment, there has to be a proximity between the suicide and the alleged provocation. Learned counsel for accused/applicant also contends that it is the deceased only who was staying away from matrimonial home and the fact that she did not initiate any proceedings under Domestic Violence Act shows that she had no complaint against the accused/applicant. Further, it is contended that the deceased was suffering with a severe neurological disorder, so she committed suicide. It is also contended that there was no residential proximity the between the residence of the deceased and residence of the



accused/applicant, so it is not a case of abetment.

4. On the other hand, learned APP and learned counsel for complainant *de facto* submit that the hand written suicide note was sent for forensic analysis; and the FSL, after comparison with the contemporary handwriting of the deceased in her diary came to an opinion the suicide note was written by the deceased only. It is further submitted by learned prosecutor assisted by Investigating Officer/ASI Raj Kumar that even voice sample of the accused/applicant has been obtained and sent to FSL for comparison with the audio recording retrieved from mobile phone of the deceased.

5. I have examined the original suicide note as well as the transcript of audio conversation between the deceased and the accused/applicant. Suffice it to record that just a few hours before the deceased took suicidal jump, the accused/applicant across his conversation (*recorded at 07:02pm*) *prima facie* did provoke her to take her life. Even in the prior conversation of that day at 06:33pm, the accused/applicant kept mouthing obscenities against the deceased. As regards the argument of proximity of time and the residential proximity, keeping in mind stage of the proceedings, I would refrain from passing a detailed view on this, but suffice it to record that the argument does not hold merit in the circumstances of this case.

6. At this stage, learned counsel for complainant *de facto* also discloses that the accused/applicant is destroying the evidence and has even deleted the conversations from his mobile phone, therefore, grant of anticipatory



2026:DHC:1107



bail would frustrate and fail the investigation.

7. In view of above discussion, I do not find it a fit case to grant anticipatory bail to the accused/applicant. The anticipatory bail application is dismissed. The accused/applicant is directed to surrender himself before the investigating officer tomorrow itself (11.02.2026).

8. Of course, nothing observed herein shall be read to the prejudice of either side at the stage of final arguments.

**GIRISH KATHPALIA
(JUDGE)**

FEBRUARY 10, 2026/ry