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

% *Date of Decision: 17.08.2026*

CNR No. DLHC010379982026

+ **BAIL APPLN. 3345/2026 & CRL.M.A. 25046/2026**

VINAYPetitioner

Through: Mr. Aditya Yadav, Advocate.

versus

STATE (GOVT. OF NCT OF DELHI)Respondent

Through: Mr. Hemant Mehla, APP for State
with IO/Inspector Davender Singh.

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 79/2023 of Police Station Jaffarpur Kalan, Delhi for offence under Section 304B/498A/34 IPC.

2. I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/Inspector Davender Singh.



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3. Earlier, bail application filed by the accused/applicant was dismissed by this court by way of detailed judgment dated 07.04.2025 in Bail Application No.4627/2024. That order of dismissal of bail application was not challenged by the accused/applicant. The factual matrix as narrated in the earlier bail application is extracted below:

“2. Briefly stated, circumstances relevant for present purposes are as follows. On complaint dated 27.04.2023 of one Mr. Suresh Kumar, FIR No. 79/2023 for offence under Section 304B/498A/34 IPC was registered by PS Jaffarpur Kalan. After completion of investigation, chargesheet for offences under Section 304B/498A/34 IPC was filed against the accused/applicant, his parents and sister. Currently, the matter is pending trial and six out of forty prosecution witnesses stand examined.

2.1 In his complaint, which was registered as FIR, Shri Suresh Kumar alleged that he got his daughter Raveena married on 22.02.2023 with Vinay (the accused/applicant), but the very next day of marriage, the accused/applicant told Raveena that she was not his choice and he had married her under pressure of his family; that after marriage, 2-3 times Raveena went to her matrimonial home where she was harassed by all the accused persons, demanding money and stating that the amount of Rs. 7,00,000/- given by her parents would fetch only a small car, so she must bring more money from her parents; that about one and a half months earlier, Raveena had called him up to apprise him of the abovesaid allegations, so he brought her to her parental home; that after shifting to her parental home, she used to remain depressed; that on the day of incident (27.04.2023), he was in his room while Raveena was watching TV in the other room and when she did not respond to his call, he went to the other room where he found Raveena hanging with a dupatta from ventilator; and that he immediately extricated Raveena and called PCR.

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9. Falling back to the present case, as mentioned above, in the FIR there are specific allegations of dowry harassment. As also mentioned above, the accused/applicant got married with the deceased on 22.02.2023; on the very next day of marriage, the



accused/applicant and his family members started harassing the deceased over dowry, stating that the deposit of Rs. 7,00,000/- brought by her from her parental home would fetch only a small car; on 15.03.2023, the deceased shifted to her parental home, after which she continued to remain in communication with the accused/applicant over telephone, the last telephone call being of 584 seconds on 23.04.2023, which followed her suicide on 27.04.2023. In view of these circumstances, though yet to be tested in trial, I am unable to accept the contention of learned counsel for the accused/applicant that the offence under Section 304B IPC would not be made out because there is no allegation of harassment soon before death of the deceased. However, I must cautiously reiterate the rider that the above analysis is only for examining the bail plea of the accused/ applicant, so shall have no bearing on the ultimate appreciation of evidence by the learned trial court."

4. At the outset, learned APP for State contends that since the earlier bail application of the accused/applicant was dismissed by way of detailed judgment and there is no change in circumstances, the present application is not maintainable. Further, it is also submitted by learned APP that in view of gravity of offence, it is not a fit case and/or stage to grant bail.

5. In response, learned counsel for accused/applicant submits that the change in circumstances, due to which the present second bail application is maintainable is that subsequent to the earlier order of this court, FSL report came to the effect that the telephone on which the deceased spoke at length with the accused/applicant prior to committing suicide is registered in the name of father of the deceased.

6. In view of detailed circumstances described in the earlier bail order



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dated 07.04.2025, I do not find it to be a change of circumstances which can entitle the accused/applicant to bring another bail application. For, admittedly the deceased committed suicide at her parental home and according to prosecution, shortly prior to her committing suicide she had long telephonic conversation with the present accused/applicant. Whether that telephone used by the deceased was registered in her name or her father's name makes no difference.

7. Learned counsel for accused/applicant also contends that since the accused/applicant has spent almost 03 years 03 months in jail and trial is not proceeding further, he deserves bail.

8. On this aspect, the trial status is that out of 42 prosecution witnesses, 19 have already been examined and 04 witnesses have been dropped. The long incarceration during trial is certainly a vital ground for consideration of bail, but that is not the only ground to be considered by the court. It does not appear to be a case where trial is at slow pace, keeping in mind the overall board load of the Courts of Sessions, coupled with shortage of prosecutors and even investigators. This court cannot ignore the factual matrix as extracted above while considering the grant or denial of bail. The gravity of the offence alleged against the accused/applicant cannot be ignored.

9. In view of above discussion, I do not find it a fit case or stage to grant bail to the accused/applicant. Therefore, the bail application and



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accompanying application are dismissed.

10. Copy of this order be sent to the concerned Jail Superintendent for being informed to the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

AUGUST 17, 2026/ry