



2026:DHC:7968



\$~5

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 17.09.2026

#

CNR No. DLHC010386082026

+

BAIL APPLN. 3421/2026 & CRL.M.(BAIL) 1566/2026

ANIL KUMAR SINGH

.....Petitioner

Through: Mr. N. Hariharan, Senior Advocate
with Mr. Siddharth Yadav, Mr. Rahul,
Ms. Kashish Aneja, Mr. Ayush Kr.
Singh, Mr. Khuranshu Nagpal, Ms.
Punya Rekha Angara, Mr. Amartya,
Mr. Arjan Mandla, Mr. Aman Akhtar,
Ms. Vasundhara Raj Tyagi, Mr.
Apoorv Kumar, Mr. Yash Phogat and
Mr. R. N. Sharma, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with Inspector Sudhir Kumar, PS
Chhawla.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 121/2025 of



2026:DHC:7968



PS Chhawla for offence under Section 103(1)/238(b)/61(2)/3(5) of BNS.

2. After last date, status report was filed. I have learned Senior Counsel for accused/applicant and learned APP for State assisted by Investigating Officer/Inspector Sudhir Kumar.

3. Briefly stated, prosecution case as culled out of the status report is as follows. On 15.03.2025 at about 04:00 pm, an information was received at the police station Chhawla regarding discovery of a dead body in Najafgarh drain. The information was assigned to a Sub-Inspector who reached the spot along with Head Constable and called the crime team. After taking photographs, dead body was pulled out of the drain. The dead body was found wrapped in a bedsheet with the help of a wire and a concrete stone was found tied with the same. Initially, the body was unidentified and was in a decomposed state. Subsequently on the basis of the nose pin worn by the deceased, the dead body was identified to be of Ms. Seema, who had been missing for past 15-20 days and her mobile phone also was found switched off. Further investigation revealed that the deceased had two sons namely Amulya and Adiraj. With the help of DNA profiling, the deceased was confirmed to be Ms. Seema. Thereafter, on further investigation, it was found that the deceased had strained relations with her husband (*the present accused/applicant*) and Amulya was staying with the accused/applicant



while Adiraj was staying with the deceased. In the course of further investigation, the co-accused Shiv Shanker Pandey employed as a security guard at the residence of the deceased gave his detailed disclosure statement alleging that the present accused/applicant had administered poison and killed the deceased. But subsequently, the post-mortem revealed the cause of death to be strangulation. The viscera analysis revealed that no poison was administered. The accused/applicant was arrested on 04.04.2025 after it got revealed during investigation that he is the person with whom the deceased was last seen when she was alive. That date of the alleged last seen circumstance is 11.03.2025.

4. Against the above backdrop, learned Senior Counsel for the accused/applicant submits that the accused/applicant is in custody since 04.04.2025 without any cogent evidence connecting him with death of the deceased. It is also submitted that till date, only 7 out of 57 prosecution witnesses have been examined. Learned Senior Counsel for accused/applicant also demonstrates that even according to prosecution case, the estimated date of death of the deceased is 13.03.2025 or at least 12.03.2025, as drawn from the post-mortem report coupled with the testimony of the post-mortem doctor, therefore, it cannot be treated as a circumstance of last seen. Learned Senior Counsel for accused/applicant has also taken me through testimony of both sons of the deceased to point out



that there was no such strain in the relations of the accused/applicant and the deceased that could have served as motive to kill her.

5. On the other hand learned APP for State submits that the Court cannot ignore the gravity of the alleged offence, the manner in which a lady was killed and her dead body was drowned in the drain to destroy evidence. As regards the relationship between the accused/applicant and the deceased, learned prosecutor places reliance on certain WhatsApp chats between the deceased and her friend Ms. Swastika.

6. Learned APP for State has shown me those WhatsApp chats between the deceased and her friend. After taking me through the same, the learned APP in all fairness does not dispute that although the said chats do reflect friction in relations between the deceased and the accused/applicant, but the same are not of such extreme nature, from which any intention or motive to kill could be inferred. It is admitted by learned APP that as regards the manner in which the dead body was dumped into drain, there is no clear evidence to connect the accused/applicant with even that act.

7. To reiterate, present is the case based on circumstantial evidence and it is trite that the chain of circumstances should be complete and each circumstance in the chain of circumstances has to be proved beyond a



reasonable doubt. The prosecution must travel the distance between “*might have been*” to “*must have been*”.

8. So far as the evidence of last seen is concerned, on this aspect also, the law is well settled that in order to be treated as an incriminating evidence, the last seen circumstance must be of such nature which is incompatible with any hypothesis of innocence. Here is a case in which according to prosecution, the deceased was last seen with the accused/applicant on 11.03.2025 while according to the post-mortem expert, estimated date of her death is 13.03.2025. It is not plausible to believe that during the period from 11.03.2025 to 13.03.2025, the deceased would not have met anyone else. Therefore, even this circumstance does not inspire confidence.

9. At this stage I must add a cautious rider that the above observations have been recorded only to meet the rival contentions and the final view shall be taken by the trial court on the basis of evidence adduced during trial without getting influenced with the above observations.

10. It is indeed unfortunate that a young lady lost her life in this manner. But on the basis of evidence collected during investigation as discussed above, depriving further liberty to the accused/applicant also would be



2026:DHC:7968



unfair and unacceptable in law.

11. Therefore, this bail application is allowed and the accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate. Accompanying application also stands disposed of.

12. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 17, 2026/dr