



2026:DHC:5977



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

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Date of Decision: 27.07.2026+ **BAIL APPLN. 2896/2026**

ROHINA

.....Petitioner

Through: Mr. Chetan and Mr. Asif Iqbal,
Advocates.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Amit Ahlawat, APP for State
with Inspector Dinesh Arya and SI
Arvind Verma, PS Shakarpur.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 320/2021 of PS Gokulpuri for offence under Section 302/201/34 IPC.

2. Broadly speaking, the prosecution case is as follows. The present accused/applicant was engaged in a live-in relationship with the co-accused and three days before the murder, the deceased visited them. On the fateful night, all three of them were together. At night, according to the present accused/applicant, the deceased tried to rape her, so she squeezed his



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testicles, causing death. But according to the post-mortem report, the deceased died due to strangulation and there was no injury found on his private parts. Apart from that, the eye witnesses have also testified in Court as regards to the steps taken by the present accused/applicant and the co-accused in disposal of the dead body.

3. Learned counsel for accused/applicant submits that the accused/applicant is innocent and has been falsely implicated. It is submitted that since the medial evidence reflects death by strangulation, it is the co-accused who has to explain and not the present accused/applicant.

4. Learned APP for State assisted by Investigating Officer/Inspector Dinesh Arya accepts notice and strongly opposes the bail application on the ground that trial has almost concluded and all public witnesses have supported the prosecution. It is also submitted by learned APP that since the murder took place within four walls of a room, in which the both accused persons as well as the deceased were together, it is for the accused persons to explain as to how the deceased died by strangulation.

5. As mentioned above, the stand taken by the present accused/applicant is that in order to save herself from being raped by the deceased, she squeezed testicles of the latter, but this fact is not corroborated by the medical evidence, according to which the death occurred due to strangulation. The stand taken by the present accused/applicant is that it is



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the co-accused who strangled the deceased. But that fails to convince, because admittedly the present accused/applicant did not herself report the incident to the police. Rather, the present accused/applicant assisted the co-accused in disposal of the dead body.

6. Of course on the aforesaid, the trial court shall take an independent view on the basis of evidence adduced during trial. But for present purposes, suffice to record that the gravity of the alleged offence has to be kept in mind.

7. I do not find it a fit case to grant bail. Therefore, the bail application is dismissed.

8. Copy of this order be sent to the concerned Jail Superintendent for conveying the same to the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

JULY 27, 2026/dr