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

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*Date of Decision: 30.07.2025*

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**BAIL APPLN. 2165/2025**

RIHAN KHAN @DULARE

.....Petitioner

Through: Ms. Gunjan Suyal and Mr. Anubhav  
Mehrotra, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for State with  
Insp. Devi Lal.

**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 309/2022 of PS Khajuri Khas for offence under Section 306/498A/313/511 IPC.
2. Broadly speaking, consequent upon suicide committed by wife of the accused/applicant, the SDM concerned recorded statement of Smt. Shahnaz Bano, mother of the deceased (*which statement was registered as FIR*) alleging as follows.
  - 2.1 On 25.04.2019, the deceased got married with the accused/applicant according to the Muslim rites and rituals. At the time of her marriage, the deceased was aged 26 years.
  - 2.2 The marriage between the accused/applicant and the deceased was



without consent of their parents. The accused/applicant did not inform his family about the marriage and did not take the deceased to his home but within 8-9 months, his family came to know about the marriage. Parents of the accused/applicant started pressurizing him to desert the deceased as they wanted to get him married elsewhere.

2.3 Further, in her detailed statement, mother of the deceased narrated the manner in which the deceased was tortured physically and mentally for dowry.

2.4 On 26.03.2022 at 06:15 pm, mother of the deceased got a telephonic information that her daughter had passed away and the caller even showed the dead body of the deceased over video call. The complainant *de facto* in such circumstances suspected that her daughter was killed by the accused/applicant and his family members.

2.5 In the course of investigation, police found a suicide note, written by the deceased prior to consuming poison.

3. Learned counsel for accused/applicant argues that out of 20 prosecution witnesses listed with the chargesheet, only 7 have been examined while the accused/applicant is in custody for past three years four months. It is further submitted that the accused/applicant is the sole bread earner of the family, so deserves to be released on bail.

4. On the other hand, learned prosecutor strongly opposes the bail application, submitting that in their testimony recorded before the trial court, parents of the deceased have strongly supported the prosecution case. Besides, learned APP has also referred to various earlier complaints including a complaint lodged by the deceased on 26.07.2021. The suicide



note of the deceased also has been shown to me.

5. Of course, gravity of offence is not the only factor to be kept in mind by the court while granting or denying bail. But gravity of offence is certainly an important aspect to be kept in mind. Associated with the gravity of offence is the material on record in support of the prosecution case.

5.1 As mentioned above, in the present case, admittedly the crucial witnesses of prosecution, who are parents of the deceased, have strongly supported prosecution in their testimony.

5.2 Most importantly is the suicide note left behind by the deceased, which reads as under:

*“Main Gulnaz urf Julie apne poore hosh aur hawas mein atmhatya karne ja rahi hu. Meri maut ka zimmedar mera pati Rehan Khan urf Dulare hai. Meri zindagi barbad kar raha hai. Roz roz ki iss pareshani se tang aa gayee hun. Mein bahot pradit kiya ja raha hai mujhe. In sabse azad hone ja rahi hun main. Mera pati mujhe dhokha de raha hai”.*

6. Considering the above circumstances, I do not find it a fit case to grant bail to the accused/applicant. The bail application is dismissed.

**GIRISH KATHPALIA  
(JUDGE)**

**JULY 30, 2025**

**‘rs’**