



2026:DHC:4705



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

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Judgment reserved on: 06.05.2026
Judgment pronounced on: 25.05.2026
Judgment uploaded on: 26.05.2026

+ **BAIL APPLN. 920/2026**

AYODHYA DEVI ALIAS JYOTIPetitioner

Through: Mr. Hitesh Aggarwal, Mr. Veer
Chand Kumar, Advocates

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Naresh Kumar Chahar,
APP for the State.
Mr. Mayank Mehandru, Ms.
Charu Tandon, Mr. Raghav
Tandon, Advocates for the
complainant.

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

JUDGMENT

DR. SWARANA KANTA SHARMA, J

1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 573/2024, registered at Police Station Vivek Vihar, Delhi, for the commission of offences punishable under Sections 80(2)/85/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').



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2. Briefly stated, the facts of the present case are that a PCR call *vide* DD no. 12 was received at P.S. Vivek Vihar, Delhi, wherein the caller had informed that his daughter-in-law had committed suicide by hanging. Upon reaching the spot, the police officials had found that the deceased had committed suicide by hanging and that her husband and brother-in-law had taken down her body and placed it on the bed. The Crime Team and FSL Team had inspected the spot. The parents of the deceased, who are residents of District Lakhimpur Khiri, Uttar Pradesh, were informed about the incident. The concerned SDM was also intimated. On 01.12.2024, the post-mortem examination of the deceased was conducted. The statement of the father of the deceased was thereafter recorded by the SDM concerned. In his statement, the complainant informed the SDM that the deceased was married to co-accused Deepak Kumar on 11.04.2024 and that a sufficient amount had been spent on their marriage. However, according to the complainant, the husband and in-laws of the deceased had continued to demand further dowry and had subjected the deceased to physical and mental harassment. It was also alleged that on 29.11.2024, the deceased had informed her brother about the harassment being caused to her. On the basis of these allegations, the present FIR came to be registered.

3. During investigation, it was found that the husband of the deceased was a minor and he was apprehended on 01.12.2024. The statements of witnesses were recorded under Section 180 of the



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BNSS. The school records had revealed that both the deceased and her husband were minors at the time of marriage, which had been solemnized in Village Nayanpurva, District Lakhimpur Khiri, Uttar Pradesh. The complainant had also produced a USB drive, containing call recordings of conversations between the deceased and her brother dated 29.11.2024, i.e., shortly before the deceased had committed suicide, which was seized during investigation. In the said audio recording, the deceased is heard telling her brother that her husband/co-accused had been using abusive and threatening language against her and had threatened to parade her naked on the street and forcibly tear her clothes, including her *petticoat*. She further stated that when she had attempted to prevent him from throwing away her clothes, he had gone near the outer gate of the house and had again started abusing her while reiterating his threat to parade her naked in the street. She had also alleged that he used filthy and derogatory language against her. Thereafter, present accused Ayodhya Devi, i.e., the mother-in-law of the deceased, and the co-accused father-in-law were also arrested. The father, mother, brother and *bua* of the deceased had also given statements alleging that the deceased had been threatened and harassed on account of non-fulfilment of a demand of ₹3 lakhs. Upon completion of investigation, the chargesheet was filed.

4. The learned counsel appearing on behalf of the applicant, Ayodhya Devi, argues that the prosecution itself is relying upon an



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audio recording of a conversation between the deceased and her brother, recorded approximately one hour prior to the incident. It is contended that the said conversation clearly reflects that the deceased was disturbed on account of a quarrel with her husband arising out of an Instagram chat involving another girl, and not due to any alleged demand for dowry. It is further argued that throughout the said audio recording, no allegation whatsoever regarding dowry demand or harassment has been levelled against the present applicant. It is also argued that the applicant was neither present at the time of the alleged quarrel nor at the time when the deceased allegedly committed suicide. The learned counsel further contends that the essential ingredients of Section 80(2) of the BNS are not made out against the applicant, as there is no material on record to indicate that the deceased had been subjected to cruelty or harassment in connection with dowry demands soon before her death. It is argued that the investigation already stands concluded and the chargesheet has been filed; therefore, nothing remains to be recovered from the applicant and all relevant evidence is already in the possession of the prosecution. It is further argued that the applicant has clean antecedents, is not a flight risk, and there is no likelihood of her tampering with evidence or influencing witnesses. The learned counsel also submits that the applicant has remained in judicial custody for a considerable period and that the trial is not likely to conclude in the near future. Accordingly, it is prayed that the present



application seeking grant of regular bail be allowed.

5. *Per contra*, the learned APP for the State opposes the bail application on the ground that the allegations against the applicant/accused are serious in nature. It is contended that the statements of the parents and relatives of the deceased consistently disclose continuous demands for dowry, along with harassment and threats meted out to the deceased on account of non-fulfilment of such demands. It is further argued that the statements recorded under Section 180 of the BNSS are consistent and corroborate the call recording of the conversation between the deceased and her brother dated 29.11.2024, i.e., shortly before the alleged commission of suicide, which had been supplied by the complainant through a USB drive. It is further contended that the present applicant/accused, being the mother-in-law of the deceased, is one of the principal accused in the case, particularly since the husband of the deceased was a minor and had allegedly acted under the direct influence of his parents, including the present applicant. The learned APP also contends that the material witnesses in the present case are yet to be examined before the learned Trial Court and, therefore, there exists a possibility of the applicant influencing or intimidating them if released on bail. Accordingly, it is prayed that the present bail application be dismissed.

6. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material available



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on record.

7. After hearing arguments and going through the case file, this Court is of the opinion that the complainant as well as the prosecution have relied upon the audio recording of a phone conversation between the deceased and her brother, who is also a witness in the present case, which was recorded shortly before the deceased had committed suicide. The conversation reveals that the deceased, while speaking to her brother, could be heard narrating how she had been brutally beaten by her husband, who was allegedly angry with her for using his father's phone and for having seen certain messages exchanged with another girl. The deceased had also informed her brother that since she had read the messages and had sent a reply, her husband had thrown all her clothes out of the almirah and outside the gate of the house, and had thereafter attempted to parade her naked. The deceased had also stated that she was particularly disturbed and embarrassed because, while her husband had torn her clothes, the co-accused, i.e., the father-in-law, had entered the room and had seen her in that condition. This *prima facie* reflects that the father-in-law was present at the spot at the relevant time, though he allegedly did not intervene or assist the deceased. Admittedly, the present applicant/accused was not present in the house at that particular time.

8. However, it is pertinent to note that the marriage between the deceased and the co-accused had been solemnized on 11.04.2024, and the deceased had committed suicide on 29.11.2024, i.e., within a



period of about eight months of marriage. This Court also notes that, in the aforesaid audio conversation recorded only a few hours prior to the incident, the deceased had specifically expressed her humiliation and distress on account of her clothes having been torn and her father-in-law having seen her in that condition.

9. Nevertheless, the allegations in the present case cannot be examined in isolation and are required to be considered in their entirety. As far as the present applicant is concerned, the aforesaid audio recording is required to be considered along with the statements of the complainant and the other witnesses recorded during investigation. The learned counsel for the applicant has argued that these allegations may, at best, attract Section 85 of the BNS, but not Section 80(2) of the BNS, since according to the applicant, the FIR only discloses allegations of cruelty and does not specifically disclose any demand of dowry soon before the death of the deceased. *However*, this Court notes that there is also a specific reference in the complaint regarding an incident that had taken place shortly before Rakshabandhan, when the deceased had allegedly been beaten on account of dowry demands and had even been thrown out of the matrimonial home during the night hours. It is alleged that thereafter, she had made a phone call to her brother Rakesh from another person's mobile phone, following which her brother had brought her back to the parental home. During her stay there for a few days, she had allegedly disclosed to her parents the manner in which she was



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being harassed by the present applicant along with the other co-accused persons on account of non-fulfilment of dowry demands.

10. As regards the argument that no prior complaint had been made in the matter, the statement of the complainant/father reveals that he had informed the police that, shortly before Rakshabandhan, the deceased had been brought back to her parental home after being beaten by her husband and in-laws for non-fulfilment of dowry demands and after being threatened at her matrimonial home. It has also come on record that her husband, Deepak, had allegedly broken her mobile phone and SIM card. Nevertheless, she had managed to make a phone call to her brother from another person's mobile phone. At that relevant time, her brother was residing in Delhi and had thereafter brought her to the parental home.

11. The complainant has specifically stated in his statement that, after the aforesaid incident in which the deceased had allegedly been thrown out of the matrimonial home, he had spoken to the present accused as well as co-accused Deepak in the morning. According to him, upon his intervention, the co-accused father-in-law had started abusing and threatening him. Thereafter, around the time of Rakshabandhan, the younger brother of the deceased had brought her back to parental home, where she had stayed for about 8–10 days. During that period, she was allegedly in a state of deep depression and had disclosed to her parents that her husband and his parents used to harass and torture her on account of non-fulfilment of a demand of ₹3



lakhs in dowry. The complainant has further stated that the deceased had expressed that she was unable to bear the harassment any longer and had repeatedly stated that only her death could bring her relief from such torture. The complainant further stated that he and his wife, i.e., the mother of the deceased, had thereafter explained to co-accused Deepak, the husband of the deceased, that he should not harass or ill-treat their daughter, and only thereafter had the deceased been sent back to her matrimonial home. However, according to the complainant, after she returned to the matrimonial home, she was again subjected to beatings and harassment by her husband and in-laws, including the present applicant. The complainant has also explained that no formal complaint had been lodged earlier against the accused persons since the family wished that the deceased should settle peacefully in her matrimonial home and they did not want to disturb the marriage.

12. The complainant has further stated that the deceased occasionally used to make secret phone calls either to them or to one of her aunts from the mobile phone of her sister-in-law and would disclose how the present applicant and the other co-accused persons continued to harass her for non-fulfilment of the demand of ₹3 lakhs. According to the complainant, the deceased had repeatedly stated that the harassment caused her such mental distress that she felt that the only way to escape it was to end her life. The complainant has also stated that the brother of the deceased, namely Rakesh, had repeatedly



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advised her not to take any extreme step and had assured her that he would speak to her in-laws. However, on 29.11.2024, at about 11:20 PM, the deceased had again called Rakesh from her sister-in-law's mobile phone while crying and in a distressed condition, and had disclosed that co-accused Deepak had torn her clothes and had threatened to parade her naked. Upon being informed by his son about the said incident, the complainant had immediately telephoned co-accused Deepak, but according to him, Deepak neither gave any satisfactory response nor allowed him to speak to the deceased despite repeated requests. The complainant has stated that he had made 3–4 phone calls to Deepak, but thereafter his calls were not answered. He also tried calling the number from which the deceased had spoken, but no response was received. At about 01:30 AM, he received information that the deceased had died.

13. The complainant has further stated that the deceased also used to speak to her aunt (*bua*), i.e., the elder sister of the complainant, and had similarly disclosed to her that the present applicant along with the co-accused persons used to torture her for non-fulfilment of the demand of ₹3 lakhs.

14. These specific allegations regarding demand of dowry against the present applicant, when considered alongside the aforesaid audio recording and the statements of the parents and other witnesses, *prima facie* indicate that the deceased had repeatedly informed her family members that she was being harassed by the present applicant along



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with the other co-accused persons on account of non-fulfilment of the demand of ₹3 lakhs. The statements further reveal that the deceased had allegedly been subjected to such physical and mental harassment that she repeatedly expressed before her parents and aunt that the only way to escape the torture was to end her life.

15. In the opinion of this Court, the present case reflects a disturbing reality of society where, even today, a young girl aged about 19 years is alleged to have been driven to commit suicide because her parents were unable to fulfil an unlawful demand of ₹3 lakhs allegedly raised by her in-laws, including the present applicant, merely on account of her marriage into their family. The seriousness of the allegations is further aggravated by the fact that the marriage was only about eight months old at the time of the incident and that the deceased was allegedly subjected to continuous harassment during this brief period of matrimonial life. *Prima facie*, the material on record indicates that such harassment had allegedly reached a stage where the deceased believed that the only escape from the conduct of her husband and in-laws was to take her own life. It is for addressing precisely such situations that provisions such as Sections 498-A and 304B of the IPC had been enacted by the legislature.

16. As regards the question of grant of bail at this stage, this Court is of the opinion that a young life has been lost under tragic circumstances. The material collected during investigation, including the audio conversation between the deceased and her brother wherein



she is heard crying and narrating the incident of being threatened with being paraded naked, when read together with the allegations of persistent harassment on account of non-fulfilment of dowry demands, lends seriousness to the allegations levelled against the applicant.

17. Recently, the Hon'ble Supreme Court in *Shabeen Ahmed v. State of Uttar Pradesh & Anr.*: 2025 INSC 307 has categorically held that, in cases involving the alleged dowry death of a young bride within a short span of marriage, Courts, while considering an application for bail, are required to exercise greater caution and undertake a careful scrutiny of the surrounding circumstances, keeping in view the gravity of the offence and its larger societal impact. The relevant observations are reproduced as under:

“15.It is unfortunate that in today's society, dowry deaths remain a grave social concern, and in our opinion, the courts are duty bound to undertake deeper scrutiny of the circumstances under which bail is granted in these cases. The social message emanating from judicial orders in such cases cannot be overstated: when a young bride dies under suspicious circumstances within barely two years of marriage, the judiciary must reflect heightened vigilance and seriousness. A superficial application of bail parameters not only undermines the gravity of the offence itself but also risks weakening public faith in the judiciary's resolve to combat the menace of dowry deaths. It is this very perception of justice, both within and outside the courtroom, that courts must safeguard, lest we risk normalizing a crime that continues to claim numerous innocent lives. These observations regarding grant of bail in grievous crimes were thoroughly dealt with by this Court in *Ajwar v. Waseem* in the following paras:

“26. While considering as to whether bail ought to be granted in a matter involving a serious criminal offence, the Court must consider relevant factors like the nature of the



accusations made against the accused, the manner in which the crime is alleged to have been committed, the gravity of the offence, the role attributed to the accused, the criminal antecedents of the accused, (2024) 10 SCC 768 the probability of tampering of the witnesses and repeating the offence, if the accused are released on bail, the likelihood of the accused being unavailable in the event bail is granted, the possibility of obstructing the proceedings and evading the courts of justice and the overall desirability of releasing the accused on bail. [Refer : Chaman Lal v. State of U.P. [Chaman Lal v. State of U.P., (2004) 7 SCC 525 : 2004 SCC (Cri) 1974] ; Kalyan Chandra Sarkar v. Rajesh Ranjan [Kalyan Chandra Sarkar v. Rajesh Ranjan, (2004) 7 SCC 528 : 2004 SCC (Cri) 1977] ; Masroor v. State of U.P. [Masroor v. State of U.P., (2009) 14 SCC 286 : (2010) 1 SCC (Cri) 1368] ; Prasanta Kumar Sarkar v. Ashis Chatterjee [Prasanta Kumar Sarkar v. Ashis Chatterjee, (2010) 14 SCC 496 : (2011) 3 SCC (Cri) 765] ; Neeru Yadav v. State of U.P. [Neeru Yadav v. State of U.P., (2014) 16 SCC 508 : (2015) 3 SCC (Cri) 527] ; Anil Kumar Yadav v. State (NCT of Delhi) [Anil Kumar Yadav v. State (NCT of Delhi), (2018) 12 SCC 129 : (2018) 3 SCC (Cri) 425] ; Mahipal v. Rajesh Kumar [Mahipal v. Rajesh Kumar, (2020) 2 SCC 118 : (2020) 1 SCC (Cri) 558] .]

27. It is equally well settled that bail once granted, ought not to be cancelled in a mechanical manner. However, an unreasoned or perverse order of bail is always open to interference by the superior court. If there are serious allegations against the accused, even if he has not misused the bail granted to him, such an order can be cancelled by the same Court that has granted the bail. Bail can also be revoked by a superior court if it transpires that the courts below have ignored the relevant material available on record or not looked into the gravity of the offence or the impact on the society resulting in such an order. In P v. State of M.P. [P v. State of M.P., (2022) 15 SCC 211] decided by a three-Judge Bench of this Court [authored by one of us (Hima Kohli, J.)] has spelt out the considerations that must weigh with the Court for interfering in an order granting bail to an accused under Section 439(1)CrPC in the following words : (SCC p. 224, para 24) “24. As can be discerned from the above decisions, for cancelling bail once



granted, the court must consider whether any supervening circumstances have arisen or the conduct of the accused post grant of bail demonstrates that it is no longer conducive to a fair trial to permit him to retain his freedom by enjoying the concession of bail during trial [Dolat Ram v. State of Haryana, (1995) 1 SCC 349 : 1995 SCC (Cri) 237] . To put it differently, in ordinary circumstances, this Court would be loathe to interfere with an order passed by the court below granting bail but if such an order is found to be illegal or perverse or premised on material that is irrelevant, then such an order is susceptible to scrutiny and interference by the appellate court.” Considerations for setting aside bail orders

28. The considerations that weigh with the appellate court for setting aside the bail order on an application being moved by the aggrieved party include any supervening circumstances that may have occurred after granting relief to the accused, the conduct of the accused while on bail, any attempt on the part of the accused to procrastinate, resulting in delaying the trial, any instance of threats being extended to the witnesses while on bail, any attempt on the part of the accused to tamper with the evidence in any manner. We may add that this list is only illustrative and not exhaustive. However, the court must be cautious that at the stage of granting bail, only a prima facie case needs to be examined and detailed reasons relating to the merits of the case that may cause prejudice to the accused, ought to be avoided. Suffice it is to state that the bail order should reveal the factors that have been considered by the Court for granting relief to the accused.”

16. We clarify that our present observations are limited to deciding whether the bail of each Accused is liable to be cancelled. The trial court shall proceed on its own assessment of evidence, uninfluenced by any of the remarks made herein.

17. In view of the discussion above, we direct that the bail granted to Accused No.2 (father-in-law) and Accused No.3 (mother-in-law) is hereby cancelled. They shall surrender before the concerned trial court/authority forthwith, failing which the authorities shall take steps to take them into custody.”



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18. This Court also cannot lose sight of the fact **that the FSL report regarding the conclusive cause of death is still awaited**, and the material witnesses are yet to be examined before the learned Trial Court. In such circumstances, this Court is of the considered opinion that it would not be in the interest of justice to release the present applicant on bail at this stage, particularly when there exists a possibility of interference with the prosecution evidence or influencing the witnesses.

19. Accordingly, the present bail application stands dismissed, alongwith pending application, if any.

20. However, the applicant will be at liberty to move a fresh bail application after the complainant is examined and the learned Trial Court is requested to ensure that the complainant is examined at the earliest.

21. It is also clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

22. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 25, 2026/A

GJ