



2026:DHC:4967



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

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Judgment reserved on: 26.05.2026
Judgment pronounced on: 30.05.2026
Judgment uploaded on: 30.05.2026

+ **BAIL APPLN. 1270/2026**

BHIM SINGH

.....Petitioner

Through: Mr. S.K. Sharma, Mr.
Yogender Kumar and Mr. Tejas
Singh, Advocates.

versus

STATE (N.C.T OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP for State.

CORAM:**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J**

1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 240/2024, registered at Police Station Alipur, Delhi for the commission of offences punishable under Sections 304B/302/498A/34 of the Indian Penal Code, 1860 (hereafter 'IPC').

2. Briefly stated, the facts of the present case are that on 25.03.2024, pursuant to receipt of DD no. 20A, SI Rajkumar had



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reached the place of incident in Bakhtawarpur, Alipur, Delhi, where a woman, Aarti, was found lying in a pool of blood with her throat slit. Blood stains were found on the staircase leading to the first floor as well as inside a room situated on the first floor of the house. A blood-stained vegetable knife, alleged to be the weapon of offence, was recovered from the spot. The Crime Team and FSL Team had inspected the scene of crime and the exhibits found at the spot were seized. The injured was shifted to SRHC Hospital, Narela, where she was declared brought dead on 25.03.2024 at 09:19 AM. Thereafter, the dead body was sent to the mortuary of BJRM Hospital for post-mortem examination. During investigation, statements of the relatives of the deceased were recorded before the SDM, Alipur, since the marriage of the deceased with co-accused Manjeet had taken place on 08.03.2018 and the death had occurred within seven years of marriage. The brother of the deceased alleged that the deceased had been subjected to persistent harassment and cruelty on account of dowry demands by her husband, mother-in-law, brother-in-law and father-in-law. It was also alleged that the husband of the deceased used to physically assault her and that all the accused persons used to taunt and harass her for bringing insufficient dowry. On the complaint made by the brother of the deceased, the present FIR was registered. During the course of investigation, accused persons – Manjeet (husband), Meena (mother-in-law), Manish (brother-in-law) and Bhim Singh (father-in-law/present applicant) – were arrested.



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During further investigation, the statement of Master 'K', the minor son of the deceased, was recorded under Section 164 of Cr.P.C., wherein he stated that his father had killed his mother in the presence of his grandparents and uncle. It is the case of the prosecution that the present applicant had been present at the spot at the time of commission of the offence, which, according to the prosecution, is further corroborated by the CDR analysis of his mobile phone. The weapon of offence and other exhibits had been sent to FSL and the report is awaited. Thereafter, charges were framed against the accused persons for offences punishable under Sections 304B/302/498A/34 of IPC.

3. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case and has remained in judicial custody since 25.03.2024. It is submitted that there are no specific allegations against the present applicant either in the FIR or in the statements recorded before the learned SDM. It is stated that even as per the statement of the complainant, i.e. the brother of the deceased, the allegation against the applicant is based merely on suspicion, as the complainant himself had stated that the deceased had never made any complaint against the present applicant during her lifetime. It is further submitted that the mother of the deceased, in her statement before the learned SDM, had stated that whenever disputes arose in the family, the present applicant used to pacify and counsel the family members. It is also argued that the



statement of another material witness, Subhash, i.e. uncle of the deceased recorded before the learned SDM, does not attribute any role to the present applicant in the commission of alleged offence. It is further contended that, as per the prosecution case itself, the deceased and her husband had been residing separately on the first floor of the house with a separate kitchen, whereas the present applicant, along with his wife and younger son, was residing on the ground floor. The learned counsel submits that the prosecution has sought to implicate the applicant primarily on the basis of the statement of the minor child recorded under Section 164 of Cr.P.C. about five days after the incident, wherein he stated that co-accused Manjeet had killed the deceased in the presence of the applicant and other co-accused persons. However, during the course of his testimony before the Court, the minor child admitted in his cross-examination that the applicant had been sleeping downstairs at the time of the incident and that he had himself called the applicant and his wife thereafter. It is thus argued that there is no allegation that the present applicant had inflicted any injury upon the deceased. The learned counsel further submits that the wife of the applicant, against whom the allegations of cruelty and dowry harassment are more specific, has already been granted bail by the learned Sessions Court *vide* order dated 21.11.2025. It is also submitted that although charges were framed on 14.11.2024 and the applicant has remained in custody for more than two years, only two prosecution witnesses



have been examined till date out of 28 cited witnesses. It is therefore argued that there is no likelihood of the trial concluding in the near future and continued incarceration of the applicant would amount to pre-trial punishment. Accordingly, it is prayed that the applicant be released on regular bail.

4. The learned APP appearing for the State, on the other hand, opposes the present application and argues that the allegations against the applicant are serious in nature. It is argued that the present applicant, being the father-in-law of the deceased, had played an active role in the commission of the offence and had provoked and instigated his son, i.e. co-accused Manjeet, to kill the deceased. It is further submitted that the statement of the minor child as well as the material collected during investigation *prima facie* indicate the involvement of the present applicant in the offence. In these circumstances, it is prayed that the present application be dismissed.

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

6. In a nutshell, the case of the prosecution is that co-accused Manjeet, on the date of incident, had slit the throat of his wife (the deceased) with a knife, and the said incident was witnessed by their minor son, who is the sole eye-witness to the incident in question. The prosecution has also alleged that all the accused persons, including the present applicant, used to harass the deceased in



connection with demands for dowry.

7. However, this Court takes note of the cross-examination of the sole eye-witness to the incident in question, i.e. the son of the deceased and co-accused Manjeet. Though it is undisputed that the said witness has deposed that his father had slit the throat of his mother with a knife in the presence of his grandmother and grandfather, including the present applicant, he has *however* stated during his cross-examination that his grandparents had been sleeping downstairs at the time when the offence was allegedly committed by his father, and that he had called them upstairs thereafter. Therefore, at this stage, the said testimony assumes relevance while considering the specific role attributed to the present applicant in relation to the offences punishable under Sections 304B/302 of IPC.

8. The brother of the deceased, who is the complainant in the case, has already been examined before the Trial Court. The sole eye-witness, i.e. minor son, has also now been examined before the Trial Court. The present applicant, who is the father-in-law of the deceased, has remained in judicial custody for more than two years and two months.

9. Considering the overall facts and circumstances of the present case, including the period of custody already undergone by the applicant, the nature of allegations levelled against him, the absence of any criminal antecedents, and the fact that the trial is likely to take considerable time to conclude, this Court is inclined to grant regular



bail to the applicant. Accordingly, the applicant is admitted to regular bail on furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the learned Sessions Court/Successor Court/Link Court/Duty Judge concerned, subject to the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if he has a passport, he shall surrender the same to the concerned trial court.
- ii) The applicant shall share his contact details (mobile numbers and residential address) with the IO/SHO and the Trial Court; and in case of any change in the said details, the applicant shall promptly inform the same to the concerned Court and the concerned IO/SHO.
- iii) The applicant shall appear before the Trial Court on every date of hearing unless exempted;
- iv) The applicant shall not indulge in any criminal activity;
- v) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.

10. The bail application is accordingly disposed of.

11. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.



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12. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

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