

Bail Application No. 1156/2026
State Vs. Sarfraz
FIR No. 238/2026
PS: Nabi Karim

04.07.2026

This is the first application under Sec. 483 BNSS filed on behalf of applicant/accused namely Sarfraz for grant of regular bail.

Present : Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.
Sh. Sachin Kumar Garg, Ld. Counsel for applicant/
accused.
IO/Inspector Investigation Murtuja Khan.

Ld. Counsel for accused/applicant submits that no bail application is pending before the Hon'ble High Court of Delhi and Hon'ble Supreme Court of India.

Reply to the bail application has already been filed on behalf of IO.

Ld. Counsel for accused/applicant submits that accused/applicant is in JC since 09.05.2026. He further submits that accused/applicant is the brother of main accused namely Aijaz and he has nothing to do with the commission of offence in the present case and he has been falsely implicated in the present case. He further submits that accused/applicant is residing in Gurugram and he did not visit to the house of accused/applicant and deceased on the date of incident and his presence remained at Gurugram as per his CDR and hence he has not committed the said offence. He further submits that investigation qua accused/applicant has already been completed and he is not required for further investigation in the present case. He further

submits that no fruitful purpose will be served by keeping the accused/applicant in JC and hence he should be granted bail.

Per contra, Ld. Addl. PP for the State submits that present case is a case of dowry death in which for causing the death, the presence of accused/applicant was not necessary at the spot of incident at the time of commission of offence of dowry death. He submits that father of deceased had put specific allegations against the accused/applicant. He further submits that investigation in the present case is still pending and hence present bail application should be dismissed.

I have heard the submissions and perused the record.

The deceased namely Nisha Praveen was married to co-accused Aijaz who is real brother of accused/applicant on 26.04.2026 and she was killed between 06.05.2026 to 08.05.2026 i.e. within 10-12 days of her marriage. As per the statement of complainant Sh. Mohd. Taslim (father of deceased), he received phone call from his daughter/deceased Nisha Praveen on the very next day of marriage i.e. 27.04.2026, who told him that her husband Aijaz and accused/applicant Sarfaraz were saying that less dowry was given to them in the marriage and he should arrange for more dowry in sum of Rs. 2-3 lakhs. Sh. Mohd. Taslim specifically stated in his statement given to the Tahsildar that accused/applicant as well as co-accused Aijaz were harassing the deceased for the purpose of dowry. In case of dowry death the actual physical presence of all accused persons is not an essential ingredient and only the harassment/cruelty for the purpose of dowry are sufficient to attract the provisions of Sec. 80/85 of

BNS. Keeping in view the statement of complainant given by him to Tehsildar, it cannot be said that accused/applicant was not involved in the commission of offence of dowry death. The alleged offence committed by the accused/applicant is heinous in nature. Investigation in the present case is at initial stage and the charge-sheet is yet to be filed. Granting bail to the accused/applicant before the examination of complainant may defeat the purpose of law.

Keeping in view the gravity of offence, allegations against the accused/applicant and stage of investigation, I do not find any merits in the present bail application.

Accordingly, the present bail application filed under Sec. 483 BNSS for granting regular bail to the accused/applicant is hereby dismissed.

The observations made herein shall not have any effect on the merits of case.

The bail application stands disposed off accordingly.

Copy of this order be given Dasti to all concerned.

(Virender Kumar Kharta)
ASJ/FTC-02(CENTRAL)
TIS HAZARI COURTS:DELHI :04.07.2026