

**IA No. 2/2023**  
**State Vs. Pradeep**  
**SC No. 357/2022**  
**FIR No. 303/2022**  
**PS: Karawal Nagar**  
**U/s: 304-B/498-A/34 of IPC**  
**10.04.2023**

**ORDER ON APPLICATION FOR GRANT OF BAIL OF  
APPLICANT/ACCUSED PRADEEP**

1. This order of mine disposed of an application for grant of bail filed by applicant/accused Pradeep.
2. I have heard the ld. Counsels for the parties.
3. Sh. Narveer Dabas, the ld. Counsel for this applicant/accused has submitted that the applicant/accused has been falsely implicated in the present case and submitted that the marriage between the applicant/accused and the deceased was solemnized on dated 05.02.2022 and the deceased had committed suicide on dated 24.06.2022. He has further submitted that at the time of committing suicide by this deceased, the applicant/accused was not at home and further submitted that in the MLC of the deceased dated 24.06.2022, no injury expect the abrasion on the neck of the deceased is mentioned. He has further submitted that even in the PCR form, no injury on the person of the deceased has been mentioned and further submitted that no complaint was filed against this applicant/accused on dated 24.06.2022 and statements of the father and brother of the deceased were recorded on dated 25.06.2022 by the SDM and submitted that the complainant, who is father of the deceased,

has alleged that CRETA car was given in the marriage of the deceased, but, the accused was not satisfied with the said CRETA car and demanded XUV-700 car and Rs.20 lakhs cash and submitted that the WhatsApp chat of this applicant/accused with the deceased on dated 23.06.2022 and with the brother of the deceased on dated 24.06.2022 are also placed on record and from the said chats, it can be inferred that no such cruelty was ever committed and submitted that there is no proof of giving the CRETA car in the marriage. He has submitted that the statement of one Vinod was also recorded during the investigation, which reveals that only Re.1/- was paid for fixing such relation of the applicant/accused with the deceased. He has also submitted that other co-accused have already been granted anticipatory bail and no specific allegation against the applicant/accused is levelled and there was no complaint prior to the death of the deceased against this applicant. He has further submitted that the deceased was suspecting relation of this applicant/accused with other girls, so, in view of the frustration, she has committed suicide and also submitted that the charge-sheet has already been filed and no fruitful purpose would be served by keeping this applicant/accused behind the bars for any longer period and prayed for grant of bail to this applicant/accused. He has relied upon the judgments passed by the Hon'ble High Court of Delhi in case Kamal Vs. State, Bail Application No. 4211 of 2006 and Bishan Dass Durga Vs. State NCT of Delhi, Bail Application No. 1036 of 2013.

4. On the other hand, Sh. Sukhbeer Singh, Ld. Addl. PP for the State and Sh. Hans Raj Singh, Ld. Counsel for the complainant have vehemently opposed this application for grant of bail filed by this applicant/accused Pradeep and submitted that the marriage between the deceased and the applicant/accused was solemnized on dated 05.02.2022 and the deceased belonged to a well to do family and submitted that the statement of the father of the deceased was recorded by the SDM, which clearly reveals that he had spent about Rs.45 to 50 lakhs in the marriage of his daughter (deceased) and submitted that the statement of the father of the deceased recorded by the SDM makes it clear that this applicant/accused was not satisfied with the CRETA car and this applicant/accused said that such CRETA car is owned by the Balmiki of his area. They have further submitted that huge money was spent in the marriage of the deceased and Rs.9 lakhs were given of the applicant/accused and other family members in cash and the applicant/accused demanded XUV-700 car and Rs.20 lakhs in cash and father of the deceased has also stated that in view of the non-fulfilling of such demands, his daughter was beaten by this accused and she started living sick and she was having three months pregnancy at the time of her death. He has further submitted that on dated 24.06.2022, deceased had made talk with his brother Prince and told to him that this accused is having illicit relations with many girls and speaks lie and misleads to the deceased. He has also submitted that this applicant/accused snatched the phone of the deceased from her.

This accused told to the brother of the deceased that he would go to him at Ghaziabad and thereafter, phone of the deceased was switched off. They have further submitted that the father of the deceased has also told to the SDM that he had made telephonic talk with Chander Pal, who is father of the applicant/accused and asked him to arrange talk with his daughter Beauty, but, he did not arrange talk with his daughter and he had told that the health of Beauty is not good and also told that she was being taken at the hospital, on this, complainant telephoned to his son and asked him to go Mavi hospital, but, his daughter did not meet him at there and when his son went to the house of the accused, he found the dead body of the deceased and submitted that it is clear from the statement of father of the deceased that accused Pradeep, his mother, his father and son of the paternal aunt of this accused had murdered the deceased and submitted that the postmortem report of the deceased reveals that there were injuries on the forearm, head and right hand of the deceased and submitted that broken bangles of the deceased were also found in the room and LED was also found broken in the said room, which shows that violence occurred prior to the murder of the deceased. They have further submitted that hight of the deceased was 155 cm, as per the postmortem report, whereas, handle of the almirah, whereon the deceased was alleged to have hanged is fixed at the hight of 140 cm and submitted that it was not probable for the deceased to hang herself on the handle of the almirah fixed at the hight of 140 cm and submitted that the suicidal death is also not

probable by way of hanging on the handle fixed in the almirah at the height of 140 cm. They have also submitted that the CRETA car was purchased by the complainant in the name of one Rajender Singh, who is teacher in the school of the complainant and submitted that even the Bidai ceremony of the deceased was done in the same car and submitted that even the CCTV footage of the Bidai ceremony was also given to the IO, but, it is not placed on record the said CCTV footage, in which the Bidai ceremony of the deceased was done and the said CRETA car was visible. They have further submitted that when the deceased had made talk with her brother at 11:20 AM till 11:32 AM, the accused had snatched the phone of the deceased and submitted that after committing murder of the deceased, this accused had gone to the house of Prince, who is brother of the deceased and in pre-planned manner, when this accused arrived in the house of Prince, it was told that the deceased was being taken at hospital, whereas, this accused after committing murder of the deceased had gone at the house of the brother of the deceased and submitted that accused had concocted the story that on dated 24.06.2022, Chander Pal, father of the accused was going to Ghaziabad Court in a case, whereas, on dated 24.06.2022, there were summer vacations in the said Courts and submitted that the telephonic talk of mother of the accused with this accused at 12:42/12:43 PM make it clear that after committing murder of the deceased, this accused had gone to the house of the brother of the deceased and submitted that multiple injuries have been

found on the body of the deceased in the postmortem and blood is also visible in the hand of the deceased in the photographs of the deceased and submitted that the charge-sheet has been filed against the accused u/s. 498-A/304-B/34 of IPC, but, the offences u/s. 302/ 498-A/304-B/120-B/34 of IPC is made out against the accused and submitted that since, the accused has committed heinous offences and the judgments relied upon by the applicant/accused are not applicable in the present case, so, he does not deserve the concession of bail and prayed for dismissal of this application.

5. I have given thoughtful consideration to the submissions made by the Ld. Counsels for the parties and perused the record.

6. The perusal of the record reveals that the marriage between the deceased and the applicant/accused is alleged to have solemnized on dated 05.02.2023 and deceased had died on dated 24.06.2022. As per the statement of the father of the deceased, the accused is alleged to have committed murder of the deceased alongwith other co-accused, but, in the postmortem report, the cause of death is ante-mortem hanging, but, the multiple injuries on the hand, forearm and also on the head of the deceased are mentioned in the postmortem report and the broken bangles are also alleged to have recovered from the room, wherein, the deceased is alleged to have hanged herself. As per the prosecution, the deceased is alleged to have hanged with the handle of the almirah fixed at the hight of 140 cm, whereas, in

the postmortem report the height of the deceased is mentioned 155 cm. This is a matter of trial. The charge-sheet has been filed against the accused u/s. 498-A/304-B/34 of IPC, but, complainant in his statement recorded by the SDM has alleged that the deceased has been murdered. No doubt, the other co-accused have already been granted anticipatory bail, but, as, this accused is alleged to have snatched away the phone of the deceased on dated 24.06.2022, when she was informing about the conduct of this accused to her brother Prince as stated by the brother of the deceased that on dated 24.06.2022, deceased had asked to her brother that this accused beats her and she asked him to take her at her parental home and thereafter the phone of the deceased was switched off. Since, the facts of the present case are different from the facts of the judgments relied upon by the counsel for the applicant/accused, so, the same are not applicable in the present case. So, taking into consideration the nature of accusation and gravity of the offence committed by this accused, this applicant/accused does not deserve the concession of bail. Therefore, his application for grant of bail is hereby **dismissed**. Copy of order be provided to the parties, as, Dasti. Attested copy of this order be sent to the Superintendent of Central Jail, Tihar for supplying the same to the accused.

(PAWAN KUMAR MATTO)  
Addl. Sessions Judge (Special Judge NDPS)  
North East/KKD Courts/Delhi/10.04.2023