

**State Vs. Prashant Sehrawat & Ors.**

**31.08.2021**

**As per the directions contained in the Letter No. 569/RG/DHC/2021 dated 19.08.2021 of the Hon'ble High Court of Delhi, 1/4th of the Courts have been opened for physical hearing and in view of the Order bearing no. 24818-24877/PD&SJsectt./Covid/North/RC/2021 dated 21.08.2021 of Ld. District & Session Judge (North District), Rohini, Delhi, this court has been directed to hold physical hearing on Tuesday, Thursday and Saturday of every week and hence, the present matter is taken up physically today.**

**This is an application for grant of interim bail as per the guidelines of HPC moved on behalf of the applicant/accused Prashant Sehrawat.**

Present : Sh. Harvinder Nar, Ld. Addl P.P for the state.

Sh. Himanshu Mathur, Ld. Counsel for the applicant/accused.

Report from Jail Superintendent received.

It is submitted by Ld. Counsel for the applicant/accused that applicant/accused is innocent person and he has been falsely implicated in the present case. It is further submitted that applicant/accused is in JC since 23.08.2020 and he is entitled to bail as per the guidelines of HPC.

On the other hand, Ld. Addl. PP for the State vehemently opposed the bail application and argued that allegations against the applicant/accused are serious in nature and he played main role in commission of crime. It is further submitted that the date of marriage of the deceased was 07.12.2019 and she died on 18.08.2020, within a span of one year of the marriage and thus an adverse inference in terms of Section 113(B) of Indian Evidence Act has to be drawn against the applicant. It is further submitted that regular bail application of Kusum Lata Sehrawat

Contd...2

(mother-in-law) has been dismissed by the Hon'ble High Court vide order dated 17.03.2021 and allegations against the present applicant/accused are serious in nature and if he is released on bail, he may threaten the witnesses and prayer is made for dismissal of the bail application.

I have heard Ld. Counsels for the parties and perused the record carefully.

Allegations against the applicant/accused are serious in nature. Deceased Sakshi died within one year of the marriage and seriousness of the case has to be seen before passing any order as per the guidelines of HPC.

Moreso, the court before passing any order on bail as per the guidelines of HPC should take into consideration various aspects such as the nature and seriousness of offence, the character of evidence, the circumstances which are peculiar to the accused, a reasonable possibility of the presence of the accused not being secured in the trial, reasonable apprehension of witnesses being tampered with, the larger interest of the public or the state and similar other consideration. Observation of HPC guidelines was made on 11.06.2020, i.e. almost a year ago. The number of COVID 19 cases and positivity rate in Delhi has declined and in my opinion the applicant/accused is not entitled to the benefit of interim bail as per the guidelines of HPC.

Therefore, considering the nature and gravity of offence, role attributed to the applicant/accused and overall facts and circumstances, no ground for interim bail is made out qua him. **Consequently, the application of applicant/accused Prashant Sehrawat for grant of interim bail as per the guidelines of HPC stands dismissed.**

**(Rakesh Kumar-III)**  
**Addl. Sessions Judge-02(North)**  
**Rohini Courts / Delhi / 31.08.2021**