

SC 504/2021
STATE Vs. ARVINDER
FIR No. 705 /2019
PS Narela Ind. Area
U/s.304B/498A/306 IPC

19.01.2024

File taken up today on second application U/s. 439 Cr. P. C for grant of regular bail moved on behalf of applicant/accused **Arvinder.**

Present: Dr. Raj Rani, Ld. Addl. PP for the State.

Reply to the above said application has already been received from the IO.

Ld. counsel for applicant/accused submitted that applicant/accused is in JC since 06.12.2019 and he has been falsely implicated in the present case. It is further submitted that investigation of the present case has already been completed and charges have also been framed. It is further submitted that present case is at the stage of evidence and prosecution has failed to bring forth any material evidence on record. It is further submitted that FIR does not disclose the allegation of cruelty soon before the death which resulted into the dowry death of the deceased and the FIR as well as the chargesheet is full of contradiction. It is further submitted that no fruitful purpose would be served to keep the applicant/accused behind the bar. It is prayed that the above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is further submitted that death in the present case occurred within seven years of marriage which is a material fact. It is further submitted that as per the

Continued to page no. 2

SC 504/2021
STATE Vs. ARVINDER
FIR No. 705 /2019
PS Narela Ind. Area
U/s.304B/498A/306 IPC

statements of parents of deceased Shobha was tortured by the applicant/accused on account of dowry demands. It is further submitted that if bail is granted to applicant/accused there are chances he may tamper the evidence. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

Perusal of the record shows that charges for the offences punishable U/s. 498A/304B/34 IPC, have been framed against applicant/accused, vide order dated 23.11.2021. Perusal of the record reveals that matter is at the stage of PE and in the present case three prosecution witnesses have been examined by prosecution and all three of them have fully supported the prosecution. Perusal of the record further shows that many other material witnesses are yet to be examined in the present case.

Keeping in view of the above discussion and also considering the severity and the gravity of offence as well as seriousness of allegations, the **present bail application of applicant/accused is hereby dismissed.**

Nothing stated herein shall tantamount to any expression of

Page No. 3

SC 504/2021
STATE Vs. ARVINDER
FIR No. 705 /2019
PS Narela Ind. Area
U/s.304B/498A/306 IPC

opinion the merits of the case. **Copy of order be given dasti to the concerned parties.** The present bail application file be tagged with the main case file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
19.01.2024