

**IN THE COURT OF MS. NISHA SAHAY SAXENA
PRINCIPAL DISTRICT & SESSIONS JUDGE :
NORTH-WEST : ROHINI COURTS : DELHI.**

CNR No. DLNW01-001026-2026

SC No. 55/24

State Vs. Dinesh Kumar Sharma

FIR No. 587/25

PS : Keshav Puram

U/s 103(1) BNS

(Order on bail application of accused Dinesh Kumar Sharma)

15.05.2026

This is an application u/s 483 BNSS moved on behalf of applicant / accused Dinesh Kumar Sharma for grant of interim bail for six months. Reply to the said application has already been filed by IO Inspector Yunus Javed.

Arguments have been addressed by Sh. P.K. Samadhiya, Ld. Addl. Public Prosecutor for the State, Sh. Aman Mudgil, Ld. counsel for complainant and Sh. L.S. Solanki and Dr. Anu Solanki, Ld. counsel for the applicant / accused.

The case of the prosecution is that on 26.10.2025 at about 1.01 AM, a PCR call was received at PS Keshav Puram, regarding an incident of suicide, pursuant where to SI Vinay Malik along HC Rajeev reached at the spot and found the dead body of a female, aged about 40 years, who was the wife of the caller. Minor daughter of the deceased, aged about 11 years, was found sleeping inside the same room. Subsequently, accused Dinesh Kumar Sharma disclosed that he had a quarrel with his wife (deceased) last night over some domestic and financial issues, where-after he strangulated her using a Gamchha and thereafter smothered her mouth with a pillow, resulting in her

death.

Interim bail has been sought on behalf of applicant / accused on the ground that investigation of the case has already been completed; alleged Gamchha and pillow have already been recovered and the charge-sheet has already been filed. It is further submitted that applicant / accused has a minor daughter, aged about 11 years, and there is no other family member to take care of her, who is undergoing severe psychological trauma and neglect. It is further submitted that in the present case death of mother and incarceration of father of minor child has created a 'social orphaned' state of the minor child, and it is well settled law that welfare of the child is of paramount importance. It is further submitted that both the parents of applicant / accused have expired; as on date the minor child of applicant / accused is residing with her parental uncle (brother of applicant / accused), whose family comprises of his wife and three minor children, and is hardly able to make ends meet.

It is further contended that the applicant / accused is not involved in any other criminal case and he has clean antecedents. He is in JC since 26.10.2025 and there is nothing incriminating against him. It is prayed that applicant / accused be released on interim bail, enabling him to arrange financial security for his minor daughter. In support of his contentions, Ld. counsel for applicant / accused has placed reliance upon the following citations :

- (a) Amit Pateriya Vs. State of GNCTD, Bail Appl. 1405/2026 (decided on 15.04.2026 by Hon'ble High Court of Delhi).
- (b) Mohd. Fahad Vs. State of GNCTD, Bail Appl. 97/2026

(decided on 09.01.2026 by Hon'ble High Court of Delhi).

(c) Satinder Antil Vs. CBI & anr., SLP (Crl.) No. 5191/2021 (decided on 16.07.2025).

(d) Ashish Kakkar vs. UT of Chandigarh, Criminal Appeal @ SLP (CRL) No. 1662/2025 (decided on 25.03.2025).

On the contrary, Ld. Prosecutor has opposed the bail application submitting that the allegations against the applicant / accused are serious in nature of having killed his own wife. The minor daughter is one of the witnesses, and was present in the room where the incident took place. It is further submitted that as per the post-mortem report of deceased, the cause of death was opined as Asphyxia due to combined effect of ligature strangulation and smothering. Further more, charge has yet not been framed and prosecution witnesses are yet to be examined.

Ld. counsel for complainant has also submitted that if the applicant / accused, is released on interim bail, there is every likelihood of him intimidating, influencing and tutoring the child witness. It is further submitted that even in the initial call, when the applicant / accused informed the police, he tried to give the colour of suicide to the murder of his wife. It is further submitted that as on date, the minor child is living with her parental uncle, who is taking care of all her financial needs. In case they are facing hardship, the maternal uncle of the child is also ready to take care of her.

I have perused the rulings relied upon. With due deference, there is no dispute about the proposition of law enunciated therein, however each case has to be judged on its own merits, and there is no straight-jacket formula.

In the case in hand, presence of the applicant / accused at the spot i.e. in the same room, along with his wife and daughter, is not in dispute. It is also not in dispute that it was the applicant / accused, who called the police and informed that his wife has committed a suicide. However, when the investigation went ahead, circumstantial evidence spoke volumes about his alleged involvement in the commission of crime. The minor daughter, for whose welfare, interim bail is being sought by the applicant / accused, is a crucial witness of the prosecution, and there is every likelihood of the applicant / accused threatening, influencing and tutoring her.

Accordingly, seeing the gravity of alleged offence committed by the applicant / accused, the fact that there is every likelihood of the applicant / accused tampering with the prosecution case, and that the parental uncle of the minor daughter is taking care of her financial needs, I am not inclined to release the applicant / accused Dinesh Kumar Sharma on interim bail at this stage. Accordingly, the present bail application moved on behalf of applicant / accused is dismissed.

Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the applicant / accused. As prayed a copy of this order be given dasti to Ld. counsel for applicant / accused.

Now to come up on the date already fixed i.e. 15.07.2026.

(Nisha Sahay Saxena)
Principal District & Sessions Judge (NW)
Rohini Courts, Delhi (k)