

SC no. 39/19
State Vs. Soren Singh
FIR No. 573/2018
PS Harsh Vihar
U/s 498-A/304-B/34 IPC
ID No. 156/2019

IA No. 4/2019

This is the first application for grant of bail u/s 439 Cr.P.C. moved on behalf of applicant/accused.

24.02.2020

Present : Sh. Rakesh Mehta, Ld. Addl. P.P. for the State.
Sh. Sunil Kumar, Ld. Counsel for applicant/accused
Shoren Singh.

It is submitted that the applicant/accused has been falsely implicated in the present case. The investigation qua applicant/accused has already been completed. It is submitted that the applicant/accused is in JC since 04.06.2019. It is submitted that the applicant/accused was on duty on the alleged date of incident. It is submitted that the applicant/accused has neither demanded any illegal demand of dowry nor has committed any cruelty upon the deceased. It is submitted that the applicant/accused is the only bread earner of his family and other family members are in JC. It is submitted that there is no chance of tampering with the evidence, in case if applicant/accused is released on bail. Prayer has been made for grant of bail.

On the other hand, the case of the prosecution is that deceased was the daughter of complainant and she has committed suicide within nine months of her marriage. The allegations are that the in-laws of the deceased Manju have started harassing the deceased just after three months of marriage. They have demanded

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a car, gold ring as well as Rs.1 Lakh in cash. It is submitted that there are specific allegations against the applicant/accused in the present case for causing cruelty as well as demand of dowry which compelled the deceased Manju to commit suicide. Prayer has been made for dismissal of the bail application.

I have heard the Ld. Counsel for applicant/accused as well as Ld. Addl. PP for the State and gone through the record carefully.

The allegations against the applicant/accused are serious in nature. Though, two witnesses i.e., complainant as well as his wife have been examined. This court is not commenting any comment upon the testimony of PW-1 and PW-2 at this stage, because it may prejudice the case of either of the parties. But one of the star witness i.e., brother of the deceased is yet to be examined. Having given consideration to the facts and circumstances of the case and considering the fact that one of the star witness is yet to be examined and allegations are of serious in nature i.e., 304 B IPC. At this stage, I find no ground to grant bail at this stage. Bail application accordingly is dismissed. Dasti.

(Jagdish Kumar)
Additional Sessions Judge-04 (Shahdara)
Karkardooma, Delhi/24.02.2020

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