

25.03.2025

Present: Shri Deepak, Ld. Addl. Sub. Public Prosecutor
for the State.
Ld. counsel for the applicant/accused Sunita.
IO Inspector Devender in person.

The applicant/accused Sunita has moved the bail application under Section 483 BNSS for grant of bail.

During the course of arguments, it has been argued on behalf of applicant/accused that applicant/accused has been falsely implicated in the present case and is in custody since 21.03.2023. It is further submitted that the name of applicant/accused has been added an afterthought and there is no incriminating evidence against the accused except the disclosure statement of co-accused. It is further submitted that motive of illicit relationship between the applicant/accused and co-accused is also an afterthought and without any basis. It is further submitted that the FIR is anti-dated and the applicant/accused has been arrested on the basis of supplementary statement of the complainant who is her son. It is further submitted that the public witnesses have been examined in the present case and the applicant/accused has young children to look after. It is further submitted that trial will take considerable time. It is prayed that applicant/accused be granted bail.

Reply has been filed by the IO.

The present application has been opposed by Ld. Addl. PP for the State on the ground that the allegations against the applicant/accused are grave and serious in nature. It is

submitted that the applicant/accused alongwith co-accused had committed the murder of deceased Rajesh by causing him multiple stab injuries and slitting his throat. It is further submitted that the deceased was the husband of applicant/accused and the case was registered on the statement of the complainant who is the son of the deceased and applicant/accused. It is submitted that the matter is still at the stage of prosecution evidence and the possibility of the applicant/accused absconding cannot be ruled in the facts and circumstances of the present case. It is prayed that present application be dismissed.

Arguments heard. Record perused. Considered.

Perusal of the record reflects that charge-sheet has been filed against the applicant/accused alongwith other co-accused for the offences punishable under Section 302 read with Section 120-B IPC. It is seen from the deposition of PW-3/Complainant that he has stated that the applicant/accused had provided the keys of the house to co-accused Rajesh and the witness has further submitted that his father has been murdered by the co-accused Rajesh with connivance of his mother i.e. the applicant/accused Sunita. It is settled proposition of law that the evidence cannot be read as piecemeal and has to be read as a whole. The possibility of applicant/accused absconding cannot be ruled out in the facts and circumstances of the case. Therefore, considering the gravity of offence, I am not inclined to grant bail to the Applicant/accused at this stage. Hence, bail application of the Applicant/accused is dismissed.

Nothing stated in the order shall tantamount to expression on merits of the case.

Copy of this order be given dasti to the Counsel for

the Applicant and IO, as prayed for.

**Copy of the order be sent to concerned Jail
Superintendent for necessary information.**

**(Gurmohina Kaur)
ASJ-05/South-West District,
Dwarka Courts/New Delhi
25.03.2025**