



the present special leave petition has been filed. The petitioner is in custody w.e.f. 08.06.2023 in connection with FIR No.200 of 2023 dated 07.06.2023 for the offences punishable under Sections 498-A and 304-B of the Indian Penal Code, 1860 and Section 3/4 of the Dowry Prohibition Act registered with Police Station Gautam Buddha Nagar, district Central Commissionerate, Uttar Pradesh.

2. In the instance case, the petitioner is the husband and cause of death is Asphyxia. The period of custody is more than two years and 11 months, charges were framed on 9.11.2023 and by this time only seven out of 43 witnesses have been examined. Learned counsel for the respondents submits that as per the

directions issued by the High Court on 09.02.2026, trial is expedited, however, it is not informed that after such direction, how many witnesses have been examined by the prosecution. Considering the aforesaid and the period of custody and also the fact that from the date of framing of the charge despite lapse of two and a half years only seven witnesses have been examined. Therefore, delay in trial cannot be ruled out. Considering all the attending circumstances, we deem it appropriate to release the petitioner on bail.

3. Accordingly, we direct that the petitioner be released on bail on furnishing the suitable bail bonds and sureties and on such other terms and

conditions as may be deemed fit by the trial Court.

4. Petitioner to abide all the conditions as imposed and shall regularly attend the trial until exempted by the Court. Violation, if any, may give a cause to take recourse as permissible and the trial Court is at liberty to do the needful.

5. Accordingly and in view of the foregoing, the special leave petition stands allowed.

6. Pending application(s), if any, shall stand disposed of.

**(GULSHAN KUMAR ARORA)**  
**DEPUTY REGISTRAR**

**(NAND KISHOR)**  
**ASSISTANT REGISTRAR**