

FIR No. 327/18
PS : Subzi Mandi
U/s: 498-A/304-B/302/314/34 IPC
Parveen Kumar Vs. State

21.08.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. APP for State.
Ld. Counsel for accused/applicant Parveen Kumar.
IO in person.

1. The present is the first bail application u/s 439 Cr.PC moved on behalf of applicant Parveen Kumar, seeking regular bail. Reply filed by the IO.
2. Arguments heard on the bail application.
3. Trial of the case is pending in the court of undersigned and is at the stage of prosecution evidence. Total 4 accused are involved in the present FIR. Applicant is husband of the deceased. Other 3 accused are mother in law, sister in law (Nanad) and brother in law (Nandoi) of the deceased. Except applicant, other 3 accused were granted anticipatory bail during investigation. Applicant is in JC since 26.06.2019.
4. The applicant/accused is booked for the offence u/s 498-A/406/304-B/302 IPC. The case of the prosecution is that applicant got married with deceased in February-2018 and since then the applicant and his family used to harass the deceased for demand of dowry due to which she expired on 14.11.2018. As per the chargeheet, the deceased immediately after her marriage got pregnant and was under treatment for her pregnancy at hospital. On 14.11.2018, at about 09:30 PM,

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she was admitted by her husband (applicant) and mother in law for delivery at Lady Hardinge Hospital. After sometimes, the Doctor informed that the mother (deceased) and the child both have expired. After the death of mother (deceased) and child, the FIR u/s 498-A/406 IPC was got registered by the mother of the deceased on her statement given by her to Executive Magistrate that since inception of the marriage of the deceased, applicant and his family used to harass her on demand of dowry due to which she has expired on 14.11.2018. As per the postmortem report of the deceased, there were external injuries on the abdomen of the deceased, therefore, the provisions u/s 304-B/302 IPC were also added in the FIR.

5. Ld. Counsel for applicant/accused submits that the applicant has been falsely implicated in the present case since during the subsistence of marriage since February-2018 till November-2018, no complaint was ever lodged by the deceased before any authority i.e. police or court that applicant and his family harass her on any count. He also submits that after the marriage, deceased immediately got pregnant and as per the initial ultrasound, she had cyst in her abdomen/uterus and applicant and his family were regularly taking the deceased for her treatment for cyst as well as for pregnancy at Aruna Asaf Ali and Lady Hardinge Hospitals.

Ld. Counsel also drawn attention of the court on the statement u/s 161 Cr.PC of the brother of deceased in which he has stated that the deceased made a call to him before going to hospital on 14.11.2018 and did not complain anything that applicant and his family have harassed her, rather as per his statement, she said to her brother that they would get good news by evening. Ld. Counsel also submits that even the first call at 100 number, after the death of deceased and her

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child, was made by the applicant's own brother and not by the family of the deceased. Ld. Counsel also submits that on 14.11.2018, when the deceased was taken to hospital for her delivery, her MLC was conducted as per which there were no external injuries on her body and the IO has not investigated that when there were no external injuries as per the MLC conducted just before the death of deceased then how those external injuries came on her abdomen in the postmortem report.

6. Ld. APP and IO both were specifically put query by the court during the arguments about the report on the MLC that there were no external injuries on the body of deceased in her MLC then how the external injuries were shown in the postmortem report immediately after her death, but the prosecution could not explain the query raised by the court. Ld. APP oppose the bail application by saying that there are serious allegations against the applicant and trial is at the very initial stage that none of the prosecution witness has been examined yet.

7. I have considered the rival contentions made by Ld. APP & counsel for applicant and perused the record. Keeping in mind that the prosecution could not explain the query raised by the court and also considering that the deceased and her child had expired in the labour room during delivery of the child and also taking into account the statement u/s 161 Cr.PC of brother of the deceased and

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without further commenting on the merits of the case as the same may prejudice the trial, the applicant is admitted on bail subject to furnishing of personal bond to the tune of Rs. 50,000/- and surety bond of like amount.

The application is disposed off accordingly.



(Charu Aggarwal)
ASJ-02, Central, THC, Delhi
21.08.2020.

CA No. 397/19
State Govt. of NCT of Delhi Vs. Rohit @ Golu


21.08.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. APP for State.

Sh. Hari Dutt Sharma, Ld. LAC for both respondents.

Put up for arguments on appeal, on 16.09.2020.


(Charu Aggarwal)
ASJ-02, Central, THC, Delhi
21.08.2020.

CA No.91/18
Taskin Isa Vs. Akbar Ali & Anr.

21.08.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: None.

Put up for arguments on appeal, on 08.10.2020.



(Charu Aggarwal)
ASJ-02, Central, THC, Delhi
21.08.2020.

FIR No. 187/19
SC No. 952/19
PS: Karol Bagh
State Vs. Kunal @ Mukri

21.08.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Id. APP for State.

None for accused.

Put up for PE on 08.10.2020.



(Charu Aggarwal)
ASJ-02, Central, THC, Delhi
21.08.2020.

SC No. 498/18
Priyanka Rani Vs. Dharambir Singh Mann

21.08.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: None.

Put up for consideration on charge, on 24.09.2020.



(Charu Aggarwal)
ASJ-02, Central, THC, Delhi
21.08.2020.

CA No. 477/19
Desh Raj Vs. Rama

21.08.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Ravi Rai, Ld. Counsel for appellant.

Put up on 30.09.2020.



(Charu Aggarwal)
ASJ-02, Central, THC, Delhi
21.08.2020.

CC No.713/19
Rakhi Vs. Bhagwan Dass

21.08.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: None.

Put up on 24.09.2020.



(Charu Aggarwal)
ASJ-02, Central, THC, Delhi
21.08.2020.

CA No. 31/20
Meenakshi Vs. State and Ors.

21.08.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Appellant in person.

Sh. Virender Singh, Ld. APP for State/respondent no. 1.

None for other respondents.

Put up for arguments on appeal, on 28.09.2020.



(Charu Aggarwal)
ASJ-02, Central, THC, Delhi
21.08.2020.