

2026:DHC:7113



\$\sim 83\$

*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 24.08.2026*

CNR No. DLHC010398682026

+ **BAIL APPLN. 3518/2026 & CRL.M.A. 26170/2026**

DEEPAK

.....Petitioner

Through: Mr. Suraj Prakash Sharma (*through videoconferencing*) and Mr. Pranav Prakash, Advocates.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Aashneet Singh, APP for State
with Inspector Somveer Singh, PS
Ashok Vihar.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 67/2025 of Police Station Ashok Vihar for offence under Section 103(1)/310(3)/317(3)/3(5) BNS and Section 25/27 of the Arms Act.

2. Learned APP for State, assisted by IO/Inspector Somveer Singh, accepts notice and in all fairness does not dispute that presently there is no cogent evidence on the basis whereof the accused/applicant be kept in jail.

BAIL APPLN. 3518/2026

Page 1 of 3 pages

Signature Not Verified

Digitally Signed
By:RAHUL YADAV
Signing Date:24.08.2026
17:19:12

GIRISH KATHPALIA
Digitally signed by GIRISH KATHPALIA
DN: cn=GI, ou=HIGH COURT OF DELHI,
2.5.4.20=8401d8899627a77b26f8f8a4fec451
69af3962c97e4835d4359f9626acca, ou=HIGH
COURT OF DELHI,DCID= 7047638,
postalCode=110003, st=Delhi,
serialNumber=32886796451ec45c70b5d1557
999b40f8bcb22ee6e0402c487965f8b01e26fa,
cn=GIRISH KATHPALIA
Date: 2024.09.14.16:44:12 +05'30'



2026:DHC:7113



3. Broadly speaking, in this case of robbery and murder, the role attributed to the present accused/applicant is that he furnished the information of whereabouts of the victim to the co-accused persons.

4. Learned counsel for accused/applicant submits that he is in jail since 03.03.2025 without any evidence. It is submitted that the accused/applicant is innocent.

5. As regards the evidence collected against the accused/applicant, it is submitted by the IO that the same is in the form of telephonic connectivity between the present accused/applicant and the co-accused soon after the alleged incident of robbery and murder.

6. But it is also admitted by the IO that no call was intercepted to ascertain as to what was being spoken between the two persons in the subject phone call. Further, there is no evidence of any communication between the present accused/applicant and co-accused prior to the alleged incident to support the allegation that it is the present accused/applicant, who had disclosed the whereabouts of the victim. Most importantly, even as regards the alleged telephonic connectivity, the IO submits that the telephone number from which the present accused/applicant allegedly called up the co-accused is not registered in the name of the present accused/applicant.

BAIL APPLN. 3518/2026

Page 2 of 3 pages

Signature Not Verified

Digitally Signed
By: RAHUL YADAV
Signing Date: 24.08.2026
17:19:12

GIRISH
KATHPALIA

Digitally signed by GIRISH KATHPALIA
DN: c=IN, o=HIGH COURT OF DELHI,
2.5.4.20=8401d4888b27a7b2b265fffe4af
ec4556a75962c0fb48354359762eacc
a, ou=HIGH COURT OF DELHI, CN=
7047638, postalCode=110003, st=Delhi,
serialNumber=23a8b796451ec45c07b5d
15570996b4080cb2ee66402c487965ff
801e26fa, cn=GIRISH KATHPALIA
Date: 2026.08.24 16:54:05 +05'30'



2026:DHC:7113



7. In other words, the entire prosecution case against the accused/applicant is based only on the alleged disclosure statements of the co-accused. Of course, these are only preliminary observations while dealing with the rival contentions and the trial court shall take independent view at the end of the trial.

8. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate.

9. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

10. Accompanying application stands disposed of.

GIRISH
KATHPALIA

Digitally signed by GIRISH KATHPALIA
DN: cn=IN, o=HIGH COURT OF DELHI,
2.5.4.20=8401dd889b27a77b2f65ffffe4a
fec45569af3962c6fb4835d435f97626cac
ca, ou=HIGH COURT OF DELHI/CID =
7047638, postalCode=110003, st=Delhi,
serialNumber=d3e86796451ec45c07b5
d15570996b40f80cbd2ee60402c48796
5ff801e26fa, cn=GIRISH KATHPALIA
Date: 2026.08.24 16:53:52 +05'30'

GIRISH KATHPALIA
(JUDGE)

AUGUST 24, 2026/dr

BAIL APPLN. 3518/2026

Page 3 of 3 pages

Signature Not Verified

Digitally Signed
By: RAHUL YADAV
Signing Date: 24.08.2026
17:19:12