



2026:DHC:7281



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

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Reserved on: August 18, 2026
Pronounced on: August 31, 2026

CNR No.DLHC011027202025

+ **BAIL APPLN. 4898/2025**

AJAY LAMBA

.....Applicant

Through: Mr. Ankit Mutreja, Mr. Aditya Aggarwal and Mr. Naveen Panwar, Advs.

Versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Satish Kumar, APP for the State with Mr. Dinesh Kumar and Mr. Gourav Singh, Advs.
SI K. P. Singh, PS New Ashok Nagar
Mr. Anuj Kapoor and Mr. Nandeesh Nanda, Advs. for victim

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T

1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023,¹ the applicant seeks grant of regular bail in the proceedings arising out of FIR No.77/2001 dated 17.03.2001 registered at PS.: New Ashok Nagar, Delhi for the commission of offences punishable under *Sections 302/307/392/397/34/174-A* of the Indian Penal Code, 1860².

¹ Hereinafter referred to as "**BNSS**"

² Hereinafter referred to as "**IPC**"



2026:DHC:7281



2. *Succinctly put*, as per prosecution, upon receipt of information on 17.03.2001, the Police reached the spot and found two unconscious persons lying. From there they were taken to the nearest Hospital. On reaching the Hospital, one of the victim, was declared brought dead. This led to registration of the present FIR. Later, Mr. Munna Lal³, one of the victims, disclosed that the co-accused Mr. Dharendra had got in touch with him for hiring a vehicle. He then gave him and the deceased some food, after eating which they fell unconscious. Thence, during investigation, the said co-accused person disclosed that the applicant alongwith another co-accused person had plotted a conspiracy to rob the vehicle. Both victims then fell unconscious after eating the drugged food, after which the applicant herein strangled the victims by a rope. Thereafter, the co-accused persons left the spot.

3. During further investigation, since the applicant herein alongwith the co-accused Mr. Dalip could not be found, they were declared Proclaimed Offenders *vide* order dated 17.07.2001 by the learned Trial Court. On 06.07.2025, an information was received that the applicant herein had been arrested in another FIR. Pursuant thereto, TIP proceedings were conducted whereby Mr. Munna Lal correctly identified the applicant and thus the supplementary charge-sheet *qua* the applicant was filed before the learned Trial Court.

4. In the proceedings before this Court, learned counsel for the applicant primarily argued that the applicant has been implicated herein only on account of similarity of his name to the person who was declared a Proclaimed Offender *vide* order dated 17.07.2001 was “Ajay Kumar”.

³ Hereinafter referred to as “*victim*”



5. However, in response thereto, the learned APP has filed germane dossiers as also statements under *Section 183* of the BNSS of the other co-accused persons to affirm that “Ajay Kumar” is indeed “Ajay Lamba” who also known by the name “Basi Lal”.

6. In this factual backdrop this Court has heard learned counsel for the applicant, learned APP and learned counsel for the victim/ deceased, as also perused the materials on record.

7. Regarding the TIP proceedings, a perusal of the said TIP proceedings conducted on 09.09.2025, reveals that Mr. Munna Lal had correctly identified the applicant herein to be the same person who was involved in the commission of the offences.

8. In fact, the said TIP proceedings are followed by the statements under *Section 183* of the BNSS dated 23.05.2026 and 25.05.2026 wherein both co-accused persons, Mr. Dalip Singh and Mr. Dharendra Singh, have “... ..confirmed that Ajay Kumar, Ajay Lamba & Bansi Lal is one of the same person and that he knows him and his family very well.”. Not only that the same is also supported by the dossiers of both Mr. Bansi Lal and Mr. Ajay Lamba, wherein the first names pertaining to the children, i.e., son and daughter as also his wife are the same.

9. Although, the Hon’ble Supreme Court in ***Gireesan Nair and Ors. vs. State of Kerala***⁴, held that the TIP proceedings should be held without an unreasonable delay in order to eliminate the possibility of the accused being shown to the witness before the TIP proceedings, however, in the present proceedings since the applicant herein was *admittedly* absconding

⁴ MANU/SC/1486/2022



for almost *twenty-five* years, and it is only thereafter Mr. Munna Lal has identified the applicant herein, which are followed by the statements under *Section 183* of the BNSS dated 23.05.2026 and 25.05.2026 wherein both co-accused persons, confirmed that *Ajay Kumar, Ajay Lamba & Bansi Lal* is one and the same person, as such, the aforesaid dicta, with respect, is of no assistance to the applicant herein.

10. Therefore, the alleged delay cannot come to the aid of the applicant, and since any discrepancy *qua* identity of the applicant is indeed a matter of trial, the same cannot be gone into/ adjudicated by this Court at this stage while considering an application for grant of regular bail, more so, since it would tantamount to appreciation of evidence.

11. Under such circumstances, in the considered opinion of this Court “*Mr. Ajay Lamba*” and “*Mr. Ajay Kumar*” are one/ same person who had been declared as a Proclaimed Offender *vide* order dated 17.07.2001. It is, thus, way too premature for ascertaining the true identity of the applicant herein.

12. Lastly, though learned counsel for the applicant has also raised an issue of there being an *alleged* discrepancy regarding the timing of the arrest of the applicant, however since the same also requires a detailed scrutiny of the material(s) on record, the same is a matter of evidence. In any event, the same cannot by itself be a ground warranting grant of regular bail to anyone like the applicant herein.

13. For the afore-going reasons, the applicant, who had been declared as a Proclaimed Offender *vide* order dated 17.07.2001, is not entitled for grant of regular bail.

14. Consequently, the present application is dismissed.



2026:DHC:7281



15. Needless to say, expression of view(s) on the merits involved, if any, are solely for the purposes of adjudication of the present bail application and shall have no bearing on the overall case/ trial involved.

AUGUST 31, 2026/rr/AKS

SAURABH BANERJEE, J.

BAIL APPLN. 4898/2025

Page 5 of 5

Signature Not Verified

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By: BABLOO SHAH
Signing Date: 31.08.2026
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