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

+ **BAIL APPLN. 1602/2025**

VIKAS @ VICKY

.....Petitioner

Through: Mr. Lewish Edward, Mr. P.Vignesh,
Mr. Yusuf and Mr. Dhirij Kumar,
Advocates

versus

STATE OF NCT DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for the State
alongwith Insp. Arun Sindhu and SI
Chander Prakash, P.S.-ARSC/Crime
Branch

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

25.09.2025

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1. The applicant seeks regular bail during pendency of the trial in the criminal proceedings arising out of FIR No. 352/2017 dated 07.10.2017 registered at Police Station Mansarovar Park, Delhi. After investigation, chargesheet was filed under Sections 302/396/201/412/120B/34 IPC.
2. Per FIR, PCR information was received about body of a man lying on the ground floor near the parking area at H.No. 1/561, G.T. Road Shahadara. Police reached and found the body to be that of Rakesh Baum Karich (50 years), watchman, with severe neck injuries.
3. Further inspection revealed four more bodies of women at first-floor bedroom namely: Nupur Jindal (48), Urmila Jindal (82), Anjani Jindal (38), and Sarita Jindal (55). All had injury marks, with blood scattered around.



Two almirahs were open and ransacked, suggesting loot. The crime team and FSL examined the spot.

4. Investigation revealed that Rakesh, the guard and father-in-law of accused Vikas, had conspired with Vikas and associates Anuj, Sunny, Vikas @ Vicky (applicant herein), Rahul, Neeraj, Deepak, and Nitin to commit dacoity at the wealthy Jindal household. On the night of 05-06.10.2017, six conspirators, including Vikas @ Vicky, murdered the four women and Rakesh by stabbing and throat-slitting, then looted cash and jewellery, later dividing the booty among themselves.

5. Evidence included incriminating mobile communications, Vikas's absence from duty, and forensic findings such as DNA profiling of blood-stained clothes and recovered weapons. During interrogation, Vikas confessed his role in the crime.

6. In this backdrop, I have heard the rival submissions and perused the case record.

7. Learned counsel for the applicant would *inter alia* argue on the lines of grounds pleaded in the petition urging that the Applicant has been in judicial custody for over seven years without trial conclusion, amounting to pre-trial punishment and violation of Article 21 right to speedy trial. Bail is to ensure presence, not punishment, particularly where there is no risk of absconding or tampering.

7.1. The FIR was initially under Section 302 IPC, later converted to Section 396 IPC, but the dacoity motive is doubtful as jewellery and cash were left untouched, even on the deceased bodies, showing possible false implication.

7.2. There is no forensic or scientific evidence—no fingerprints,



footprints, CCTV, CDRs, or independent witnesses link the Applicant. The case relies only on disclosure statements and delayed recoveries (after two months), which are improbable, plantable, and inconsistent: e.g., bloodstains on notes recovered from co-accused but not on the ₹50,000 recovered from the Applicant, and burnt clothes seized after delay lack value.

7.3. The motive theory is weak. Unlike co-accused sweepers, the Applicant is a daily wage labourer with no medical knowledge; linking him by association is unsustainable. The allegation that the guard conspired is also contradictory since he was himself killed.

7.4. The prosecution case is purely circumstantial, but the chain of evidence is incomplete. As held in ***Bhimsingh vs. State of Uttarakhand (2015) 4 SCC 281***, conviction on circumstantial evidence requires an unbroken chain, which is absent.

7.5. Given the prolonged custody, lack of direct evidence, unreliable recoveries, weak motive, and contradictions, the Applicant is entitled to bail, as continued detention violates constitutional rights and the principle that bail is the rule, jail the exception.

8. In response, the learned APP for the State strongly opposed the bail application, submitting that it is devoid of merit. It was pointed out that the accused's earlier bail application had already been dismissed by this Court vide order dated 09.07.2024, and no fresh or mitigating circumstances have arisen thereafter to justify reconsideration. The allegations against the accused are grave and serious, and his role as the principal conspirator makes him central to the commission of the offence. Given the severity of the offences and the punishment prescribed, granting bail at this stage would



undermine the seriousness of the crime and send a wrong message to society.

9. The learned APP further argued that if released on bail, the accused poses a serious threat to the integrity of the trial, as there is a strong likelihood of him influencing, threatening, or inducing prosecution witnesses. Till date, 13 witnesses have been examined, but several material witnesses are yet to be recorded, making it necessary that the accused remain in custody to ensure a fair and uninfluenced trial.

10. It was also submitted that the accused presents a serious flight risk, given the gravity of charges and the severe punishment prescribed. There exists a real and substantial apprehension that he may abscond and evade due process if enlarged on bail. Accordingly, the State prayed that the present bail application of accused Vikas @ Vicky be dismissed as lacking merit and being against the interest of justice.

11. I have heard learned respective counsel and also considered the reasons recorded by the learned ASJ while rejecting bail on 06.02.2025. At this stage, no opinion can be formed in favour of the applicant to accord him concession of bail. I am in agreement with the arguments canvassed by the learned APP. There are other reasons too, as stated here in after.

12. It transpires from the prosecution report that during investigation, blood-stained clothes recovered from the accused, including applicant Vikas, were sent to FSL, Rohini for examination. As per the Biology Division DNA profiling report, the blood DNA of the deceased matched with the bloodstains on the clothes of Vikas and other accused, as well as the recovered weapons.



13. Moreover, the family members of the accused threatened the main surviving witness from the deceased family, warning her not to depose in court. Consequently, another FIR No. 310/2018 dated 14.12.2018 under Sections 341/195A/506/34 IPC, PS Crime Branch, Delhi was registered, and a chargesheet has also been filed.

14. Having seen the report *ibid* and the conduct of the under trial/accused as noted therein, I am not inclined at this stage to grant any concession to the applicant.

15. Accordingly, his bail application stands dismissed.

ARUN MONGA, J

SEPTEMBER 25, 2025
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