



\$~82

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

+ **BAIL APPLN. 1609/2025**

LUKMAN

.....Petitioner

Through: Mr. Divyesh Pratap Singh, Mr. Amit Sangwan and Mr. Vikram Pratap Singh, Advocates

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP for the State

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

24.09.2025

%

1. By way of the instant application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 514/2019, registered at Police Station Bawana, District Outer, North Delhi for the commission of offences punishable under Sections 302/201/34 of Indian Penal Code, 1860 (hereafter 'IPC').

2. The brief facts of the case are that on 18.10.2019 at about 9:40 AM, information had been received at PS Bawana vide DD No. 15-A regarding the presence of a dead body inside a trolley bag near Society Bus Stop, Village Pooth Khurd, Delhi. The body of the deceased had been sent to Dr. BSA Hospital, Delhi, and the present case was registered. During the course of investigation, the deceased was identified as one Neha Patel@Puja by Pinki, who was the neighbour of the deceased. Pinki had disclosed that Neha was having marital discord with her husband Rohit and had



started living separately with one Lukman, with whom she had developed relations. Pinki had further stated that Neha had expressed her desire to return to Rohit on the eve of Karwa Chauth, but Lukman had opposed it and had left angrily along with Neha. The next day, Neha had not been found at Lukman's house. Rohit Patel and Neha's mother-in-law, Chanda Patel, had also identified the deceased's photograph as Neha @ Puja. The house of Lukman had been found locked and, on scrutiny of CCTV footage of the adjoining house, Lukman and his brother Nauman had been seen on 17.10.2019 around 9:58 PM going upstairs, and thereafter dragging a heavy travel bag downstairs at 12:02 AM, which had resembled the bag in which the body was recovered. On the basis of a secret information, accused Armaan and Nauman had been apprehended from Shakurpur, Delhi.

3. The learned counsel for the accused/applicant argues that the accused/applicant herein has been falsely implicated in the present case. It is argued that the present accused/applicant is a person of clean antecedents and he has been in custody for more than 5 years, and out of 27 witnesses only 4 witnesses have been examined in the trial. It is submitted that all other co-accused persons have already been granted regular bail. Further, it is argued that the accused/applicant was not seen in any of the CCTV footage near the spot of incident. It is also argued that PW-6 has turned hostile and did not remember accused/applicant buying the trolley bag in which the dead body was recovered. It is submitted that there is no eye witness of the alleged incident and merely on the basis of alleged threat extended by the accused/applicant to the deceased, the investigating agency is labelling the petitioner as the main accused. Thus, the present accused/applicant be released on bail.



4. The learned APP for the State, on the other hand, has strongly opposed the present application, and has submitted that the allegations against the accused/applicant are of serious nature. It is further argued that during the investigation when the CCTV footages near the house of the accused/applicant along with the co-accused Nauman on the date of incident were examined, it was found that the accused/applicant was carrying a similar bag in which the dead body was found. Further, it is argued that neighbour of the deceased i.e. Pinki has disclosed that on 16.10.2019 when the deceased showed her will to accompany her husband, the accused/applicant got furious and had threatened to kill her and later left along with the deceased. It is, thus, argued that the present application be dismissed.

5. The court has heard arguments addressed by both the sides, and has perused the material available on record.

6. This Court notes that, during the course of investigation, the police obtained CCTV footages of the locality of the accused/applicant, which revealed that on the date of the incident, the accused/applicant was seen along with one Nauman carrying a large bag resembling the bag, in which the dead body was subsequently recovered. It is also noted that when the said CCTV footage was shown to the landlord of the accused/applicant, he had identified the persons depicted therein as the present accused/applicant and co-accused Nauman

7. This Court also notes that the neighbour of the deceased had disclosed that on 16.10.2019, a day prior to the incident, the accused/applicant was enraged over the deceased's intention to accompany her husband had also threatened her.



8. It is noted that during the course of investigation, co-accused Armaan and Nauman, stated that the accused/applicant herein had committed the alleged offence, and had called them to assist in disposing of the body. Further, co-accused Shamshad has corroborated the same, and has additionally disclosed that he, along with the accused/applicant was, on his motorcycle, following Nauman while the latter was disposing of the body.
9. Considering the overall facts and circumstances of the case, and that the allegations against the present accused/applicant are of a serious and grave nature and that material witnesses are yet to be examined, this Court is not inclined to grant bail at this stage.
10. Accordingly, the present application stands dismissed.
11. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.
12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

SEPTEMBER 24, 2025/zp