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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ BAIL APPLN. 2199/2025 & CRL.M.A. 17900/2025

PAYAL JAIN

.....Applicant

Through: Mr. Kush Sharma, Mr.
Nishchaya Nigam, Ms.
Komal Narula, Mr.
Akshay Handa and Ms.
Vagmi Singh, Advs.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP
for the State with Insp.
Robin Singh, PS Gandhi
Nagar.
Mr. Dhruv Gupta and Mr.
Akarsh Gupta, Advs. with
the complainant in person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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18.08.2025

1. The present application is filed seeking pre-arrest bail in FIR No. 207/2025 dated 18.04.2025, registered at Police Station Gandhi Nagar, for offences under Sections 105/115(2)/126(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. The FIR was registered on a complaint given by one person namely Vishal Gupta who is the son of Satish Gupta (hereafter '**the deceased**'). It is alleged that on 18.04.2025 when the deceased was going to the doctor, their neighbour namely Rajeev Jain along with his brothers approached the deceased and thereafter accused Rajeev Jain pushed the deceased as a consequence of which the deceased fell down. It is alleged that



when the complainant and his mother intervened, the accused persons hurled abuses and also gave beatings to the complainant and his mother. Thereafter, the deceased became unconscious, and on being taken to the hospital, he was declared dead.

3. During the course of the investigation, CCTV footage was obtained which showed the presence of the accused persons. It is the case of the prosecution that as per the CCTV footage, the applicant was also present on the spot, and had also pushed the wife of the deceased.

4. The learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He submits that the applicant has no active role in the commission of the alleged offence and was not named in the FIR. He submits that the applicant is a housewife and has to take care of her 7-month-old child.

5. *Per contra*, the learned Additional Public Prosecutor for the State vehemently opposes the grant of any relief to the applicant. She submits that the applicant is seen in the CCTV footage, and had also pushed the wife of the deceased.

6. I have heard the counsel and perused the record.

7. The family of the deceased and the applicant are stated to be neighbours at the relevant time and had an altercation pursuant to which a scuffle took place between them, which allegedly led to death of the deceased. It is alleged that the CCTV footage shows that the applicant had also pushed the wife of the deceased.

8. Undisputedly, the allegation against the applicant is not that she had pushed the deceased which led to his death. It is also



undisputed that the applicant has a seven-month-old child to take care of.

9. The learned counsel for the applicant, on instructions, states that the applicant, in order to avoid any further altercation and any chances of threatening or influencing the witnesses, has agreed to shift her premises for the time being.

10. He has handed over a letter which is given by the applicant to the concerned SHO stating that she has vacated her current residence which was located in the neighbourhood of the deceased and his family and has shifted to a different house in Raghubir Nagar which is beyond the 5 Km radius.

11. Pursuant to the interim protection previously granted to the applicant by order dated 09.06.2025 passed by the Vacation Bench of this Court, the applicant has joined the investigation.

12. Considering the allegation, in the opinion of this Court, the custodial interrogation of the applicant is not required.

13. In view of the above, the present application is allowed and the applicant in the event of arrest, is directed to be released on bail on furnishing a personal bond for a sum of ₹20,000/- with one surety of the like amount, subject to the satisfaction of the concerned SHO, on the following conditions:

- a. The applicant shall join and cooperate with the investigation, if required, as and when directed by the IO;
- b. The applicant shall not leave the country without the prior permission of the learned Trial Court;
- c. The applicant shall not directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;

- d. The applicant shall appear before the learned Trial Court as and when directed;
- e. The applicant shall reside at the address provided to the concerned SHO;
- f. The applicant shall not contact the family of the deceased in any manner whatsoever;
- g. The applicant shall give her mobile number to the concerned IO/SHO and shall keep her mobile phone switched on at all times.

14. In the event of there being any violation of the stipulated conditions, it would be open to the State to seek redressal by filing an application seeking cancellation of the bail.

15. It is clarified that the observations made in the present order are for the purpose of deciding the present pre-arrest bail application, and should not influence the outcome of the Trial and should not be taken, as an expression of opinion, on the merits of the case.

16. The present bail application is allowed in the aforesaid terms. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

AUGUST 18, 2025

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