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

+ **BAIL APPLN. 3088/2025**

**NAVEEN KUMAR**

.....Petitioner

Through: Mr. Aditya Aggarwal and Mr. Ankit  
Mutreja, Advocates

versus

**STATE NCT OF DELHI & ANR.**

....Respondents

Through: Mr. Manoj Pant, APP for the State

**CORAM:**

**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA**

**ORDER**

**14.10.2025**

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing No.76/2023, registered at Police Station Baba Haridas Nagar, Delhi for the commission of offence punishable under Sections 302/201/202/212/120B/34 of the Indian Penal Code, 1860 (hereafter '*IPC*').

2. Briefly stated, the facts of the present case are that the police officials had received secret information that Sahil Gahlot, resident of Mitraon Village, Najafgarh, Delhi had murdered his girlfriend Nikky Yadav and concealed her body in his village. On 14.02.2023, upon pointing out by the informer, co-accused Sahil Gahlot was apprehended, who disclosed that he had hidden the body of the victim in a refrigerator at Khao Piyo Dhaba, Mitraon. The police officials, along with the crime team, had then recovered



the body of the victim and registered the present FIR. During the course of investigation, on 16.02.2023, co-accused Sahil made a supplementary disclosure revealing that he and the deceased were husband and wife, as they had solemnised their marriage on 01.10.2020. However, his parents had refused to accept the marriage and had arranged his engagement and marriage with another girl in February, 2023. Thereafter, co-accused Sahil, along with his father, cousin, friends, and the present applicant/ accused Naveen Kumar, had allegedly conspired with each other, and on 10.02.2023, co-accused Sahil had killed the victim at Nigam Bodh Ghat, Delhi, using a data cable, and subsequently, with the assistance of co-accused persons including the applicant Naveen, had concealed her body in the refrigerator at the *dhaba*.

3. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case and that no specific role has been attributed to him in the commission of alleged offence except for having had a telephonic conversation with co-accused Sahil Gahlot after the incident. It is contended that the applicant was neither present at the scene of occurrence nor had any prior knowledge of the crime. It is further submitted that, as per record, the applicant was in Uttam Nagar at the relevant time and not at Mitraon, Najafgarh where the alleged offence took place. The learned counsel further submits that out of 79 witnesses cited by the prosecution, only 20 witnesses have been examined before the learned Trial Court, and none of them have deposed anything incriminating against the present applicant. It is also argued that the FSL report does not show the presence of the applicant's fingerprints on any of the recovered articles, which completely rules out his physical involvement. It is stated that the



applicant has been in judicial custody since 17.02.2023; thus, it is prayed that the applicant be released on bail as his further incarceration would serve no purpose.

4. The learned APP for the State, on the other hand, opposes the bail application and submits that the applicant was an active participant in the conspiracy to commit the offence. It is argued that his role cannot be viewed in isolation merely because he was not physically present at the scene of the crime. It is contended that the applicant had prior knowledge of the entire plan and had extended assistance to the main accused, both before and after the commission of the offence. The learned APP further submits that there is CCTV footage and other material linking the applicant to the chain of events surrounding the incident. It is also contended that the trial is at the stage of recording of prosecution evidence, and releasing the applicant at this stage may adversely affect the examination of remaining witnesses and the overall progress of the trial. It is thus prayed that the bail application be dismissed.

5. This Court has **heard** the arguments addressed by the learned counsel appearing for the applicant as well as the State, and has perused the material on record.

6. The allegations against the present applicant/accused, in brief, are that he was part of the criminal conspiracy hatched by co-accused Sahil Gahlot and others to commit the murder of the deceased Nikky Yadav and to conceal her dead body. It is alleged that though the applicant was not present at the spot of commission of offence, he had remained in contact with the main accused during the entire period and assisted in the commission as well as concealment of the offence.



7. This Court notes that, as per the material placed on record by the prosecution, the name of the present applicant had surfaced during investigation on the disclosure of the main accused Sahil Gahlot, who specifically mentioned that the applicant had participated in discussions and had knowledge of the plan to kill the deceased.

8. In this regard, it is to be noted that during the course of investigation, it was revealed that after the incident, the present applicant/ accused had been in contact with main accused Sahil Gahlot and other co-accused persons, and had allegedly assisted in the concealment of the body in the refrigerator at the *dhaba* belonging to Sahil Gahlot's family. The analysis of the Call Detail Records (CDRs) substantiates that the applicant remained in constant telephonic contact with co-accused Sahil Gahlot during the relevant period surrounding the commission of the offence.

9. It is also material to note that in the early hours of 10.02.2023, the applicant's mobile location was traced to the area of Uttam Nagar, where the deceased resided and where the main accused had gone to meet her. Further, when co-accused Sahil Gahlot had reached Paschim Vihar in the car belonging to co-accused Ashish Gehlot, after allegedly killing the victim, the location of co-accused persons Ashish, Amar, Lokesh and present applicant Naveen was also found at Paschim Vihar, where they had allegedly met co-accused Sahil. Further, the present applicant is also alleged to have actively participated in the concealment of the deceased's body by assisting in placing it inside a refrigerator at the *Khao Piyo dhaba*, and the CDR and location chart analysis reveals the presence of the applicant at the said spot also.



10. Therefore, the applicant's alleged presence near the residence of victim in Uttam Nagar, thereafter near the Radisson Hotel, Paschim Vihar and then at the *Khao Piyo dhaba* where the body of the victim was concealed, coupled with continuous telephonic conversations with the co-accused Sahil Gahlot, *prima facie* at this stage points to his participation in the criminal conspiracy to commit the offence. This material, at this stage, cannot be brushed aside merely on the ground that the applicant was not physically present at the spot where the deceased was murdered.

11. Insofar as the contention of the learned counsel for the applicant that the FSL report does not reveal the presence of the applicant's fingerprints on any recovered article and that no witness examined till date has specifically implicated the applicant is concerned, this Court is of the view that at this stage, while deciding the bail application, the evidence cannot be appreciated minutely, and further that the absence of direct physical evidence or testimony of any eyewitness cannot simply absolve the applicant of his alleged role in the conspiracy, as conspiracy is rarely proved by direct evidence and is often inferred from the conduct and circumstances surrounding the offence, which in this case includes CDR analysis and location chart of mobile numbers of the accused persons.

12. This Court further notes that out of 79 witnesses cited by the prosecution, 20 witnesses have been examined so far. The trial is presently at the stage of recording of prosecution evidence, and several witnesses, including police officials, forensic experts, and witnesses to the alleged concealment, are yet to be examined. Granting bail to the applicant at this



stage may pose a reasonable apprehension of influencing witnesses or tampering with evidence, which could adversely affect the trial.

13. Thus, considering the overall facts and circumstances of the case, and the nature and gravity of the alleged offence, and the material collected against the applicant during investigation, this Court is of the view that the applicant is not entitled to grant of bail at this stage.

14. Accordingly, the present bail application stands dismissed.

15. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

16. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**OCTOBER 14, 2025/ns**