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

+ **BAIL APPLN. 3207/2025**

KESHAV

.....Petitioner

Through: Mr. Gagan Bhatnagar, Mr. Vinod
Dahiya and Ms. Khushi Dahiya,
Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

31.10.2025

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out FIR bearing No.64/2025, registered at Police Station Ashok Vihar, Delhi for the commission of offence punishable under Sections 103(1)/238(a) of the Bhartiya Nyaya Sanhita, 2023 (hereafter 'BNS').
2. The brief facts of the case are that on 22.02.2025, an information was received *vide* DD No. 7A at Police Station Ashok Vihar regarding a dead body found concealed in a sack inside a public toilet situated in front of B-Block, Aara Machine Chowk Masjid. Upon reaching the spot, a female dead body was found inside the sack in the said public toilet. Thereafter, the Crime Team and FSL Team, Rohini, were summoned to the scene of crime (SOC). Both teams had inspected the spot, lifted and seized the relevant



exhibits. The deceased, however, could not be identified. The dead body was thereafter shifted to BJRM Hospital for medical examination and preservation. Subsequently, the FIR was registered and investigation was taken up.

3. The learned counsel appearing for the applicant argues that the accused/applicant is innocent and has been falsely implicated in the present case. It is argued that the FIR does not mention the name of the applicant and that his arrest is solely based on the uncorroborated statement of one Sunil Yadav, which is unreliable and vague, as it fails to specify the date, time, or circumstances under which he had allegedly seen the deceased with the applicant. It is further argued that the alleged recoveries are planted and fabricated to falsely implicate the applicant in the present case. The learned counsel also argues that no forensic or electronic evidence, such as call detail records (CDRs) or CCTV footage, has been placed on record to establish any link between the applicant and the deceased. It is further argued that the alleged confession made before the police is inadmissible in evidence and is not corroborated by any independent witness. Therefore, it is prayed that the applicant be released on regular bail.

4. On the other hand, the learned APP for the State argues that the offence in question is serious and grave in nature. It is argued that there is an eyewitness Sunil who had seen the deceased in the company of the accused/applicant on the day of the incident. Additionally, it is argued that on 21.02.2025, the deceased had called her husband from the mobile phone of the accused/applicant, informing him that she was with the accused/applicant. It is further argued that bells identical to those on the anklet worn by the deceased were recovered by the FSL team from the



house of the accused/applicant. A portion of the sack in which the body of the deceased was found was also recovered from the house of the accused/applicant by the FSL team. However, the FSL report in this regard is still awaited. Accordingly, it is prayed that the accused/applicant be not granted bail.

5. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material available on record

6. This Court, after perusal of the material available on record, finds that there is an eyewitness, namely Sunil, who in his statement has stated that he had seen the deceased along with the accused/applicant on the night of the alleged incident, i.e., on 21.02.2025, proceeding towards the *jhuggi* of the accused/applicant. It is further noted by this Court that on the night of the alleged incident, the husband of the deceased had received a phone call from mobile number 95*****69. Upon answering the call, his wife had informed him that her mobile phone had turned off, and therefore she was calling from applicant's phone, further stating that the applicant would drop her home after some time. During the course of the investigation, it was revealed that the said mobile number 95*****69 belonged to the present accused/applicant.

7. It is pertinent to note that during the course of the investigation, the anklet which was worn by the deceased at the time of recovery of her body was found to have bells identical to those recovered from the house of the present accused/applicant by the FSL team. Furthermore, a portion of the sack in which the body of the deceased was discovered was also recovered from the house of the accused/applicant and duly seized by the FSL team for the purpose of comparison. However, the FSL report in this regard is still



awaited.

8. This Court also takes note of the fact that there are 24 prosecution witnesses cited in the present case, none of whom have been examined by the learned Trial Court so far. This Court is also of the view that there exists a likelihood that, if released on bail, the accused/applicant may influence the witnesses, as they reside in close proximity to each other. Moreover, upon perusal of the material and evidence available on record, this Court finds that a *prima facie* case is made out against the accused/applicant at this stage.

9. Considering the overall facts and circumstances of the case, and that the allegations against the present accused/applicant are of serious nature and that material witnesses are yet to be examined, this Court is not inclined to grant regular bail at this stage to the applicant.

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
OCTOBER 31, 2025/RB/AP