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

+ **BAIL APPLN. 3149/2025**

KUNAL

.....Petitioner

Through: Ms. Nandita Rao Sr Adv Mr Hirein
Sharma Mr. Vimal Tyagi Mr. Amit
Peswani Mr. Saurabh Goel Mr Balaji
Pathak, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Ajay Vikram Singh, APP for the
State.
Mr. Akshay Rathi, Advocate for
Complainant.

17

+ **BAIL APPLN. 3370/2025**

VIKAS

.....Petitioner

Through: Ms Nandita Rao Sr Adv Mr Hirein
Sharma Mr Vimal Tyagi Mr Saurabh
Goel Mr Amit Peswani Mr Balaji
Pathak, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Ajay Vikram Singh, APP for the
State.
Mr. Akshay Rathi, Advocate for
Complainant.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

26.09.2025

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1. The above two Regular Bail Applications have been filed under Section 439 Cr.P.C/483 BNSS on behalf of the Applicants Kunal and Vikas in case FIR No.193/2025 under Section 115(2)/127(2)/308(3)/309(5)/140(3)/351(2)/3(5) BNS registered at Police Station Hari Nagar.
2. It is submitted in the two Applications that the Bail Application of the Applicants filed before the learned ASJ have been dismissed on 13.08.2025. The Applicants are the respectable and law abiding citizen and permanent resident of Delhi. The FIR was registered due to sheer misunderstanding and communication gap between the Applicants and the Complainant/victims. The Applicants and other co-accused were under the impression that the Complainant and his friends were selling the stolen mobile phone, the stolen articles, but they happened to be genuine and bona fide owners of the same. This led to a minor altercation between them, wherein both the parties sustained injury. The Applicants and the other co-accused, however, were not medically examined. The Complainant sustained “*simple injury*”. The amount which was transferred to one of the Complainants, was on account of personal requirement and did not relate to the incident in question.
3. The Applicants are in Judicial Custody since 17.05.2025. The Complainants do not want to pursue their case. It is further submitted that the Applicant and the co-accused as well as the Complainant and victim are of young age of about 19-20 years.
4. The Bail is sought on the ground that the Applicants have been falsely implicated in this case. The Chargesheet has already stands filed on 28.07.2025. A prayer is made that the Applicants be granted Bail.
5. The **Status Report** has been filed on behalf of State, wherein it is



stated that in the intervening night of 17-18/05/2025, four victims Manish, Saurav S/o Mukesh , Anand and Saurav s/o Dhani Ram were brought to the Police Station wherein they reported that the accused persons Kunal and Vikash Joon, had assaulted them and have robbed them of their mobile phones and belongings.

6. SI Abhishek along with the team and Complainant visited the alleged place of occurrence and verified the location, which was confirmed to be near Hari Bus Depot.

7. The Medical Examination of all the four victims was got done who had multiple bruises on their body.

8. On the statement of Complainant Manish, FIR was registered. During the course of the investigations, statements of the three remaining witnesses, were recorded. The Accused Kunal and Vikash Joon were examined and on the basis of their Disclosure Statements, a brown wallet belonging to the victim and one plastic pipe and one iron strip used in assault were recovered.

9. The **Bail is opposed on the ground that** the offence committed is heinous in nature. The plastic pipe and iron strip used to inflict the injuries, has been recovered at the instance of accused persons. Both these persons were named in the FIR and their roles have been consistently corroborated by the statement of all the victim. There is a strong apprehension that the Applicants if released on Bail, they may coerce, threaten or influence the Complainant and other witnesses. Also, they are likely to jump the Bail. Hence, the Bail is opposed.

Submissions heard and record perused.

10. It was the case of the Prosecution that the Complainant Manish gave his statement that on 15.05.2025, he had traveled to Delhi with his friends



for repair of his damaged mobile phone and to purchase clothes. Upon arriving at Delhi Cantt Railway Station at around 10:30 PM, they searched for food and accommodation. While sitting on footpath near Hari Nagar Bus Depot, a car bearing registration number DL4CAP8903 approached them with two men who offered assistance and claimed to have arrangements for food and lodging. Pretending to be Delhi Police officials, they lured the victims into their car and took them to a godown near Vikaspuri Flyover and locked the gate from inside and then assaulted them with a plastic pipe and an iron strip. They also took their mobile phones and wallet containing cash and documents. They further coerced the victims to call their families for Rs.50,000/-, stating it was for settling the police case. One victim's family transferred R.4,000/- after which the accused abandoned them at Vikaspuri flyover.

11. The Chargesheet already stands filed. The Applicants are in judicial custody since 17.05.2025. Both the Applicants are of young age of 19-20 years. Furthermore, the Complainant and the other three victims are present in the Court, who submit that the matter stands amicably settled between them.

12. Considering the totality of circumstances, the Applicants Kunal and Vikas are granted Regular Bail, on the following terms and conditions:

- a) The petitioners/accused shall furnish a personal bond of Rs.35,000/- and one surety each of the like amount, subject to the satisfaction of the learned Trial Court.
- b) The petitioners/accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The petitioners/accused shall provide their mobile



- numbers/changed mobile numbers to the IO concerned which shall be kept in working condition at all times;
- d) The petitioners/accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.
- e) In case the petitioners/accused changes their residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.
13. The copy of this Order be communicated to the concerned Jail Superintendent as well as to the learned Trial Court.
14. The above Bail Applications are accordingly disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 26, 2025

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