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

+ **BAIL APPLN. 3585/2025**

NEERAJ PARIHAR

.....Petitioner

Through: **Ms. Shobhana Aggarwal, Adv.**

versus

THE STATE OF NCT OF DELHI

.....Respondent

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

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

03.11.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 178/2025, registered at Police Station Special Cell, New Delhi for the commission of offence punishable under Section 25 (8) of the Arms Act, 1959.

2. Briefly stated, the facts of the present case are that on 31.05.2025, at about 05:05 PM, an information has been received that one Neeraj Parihar, the present applicant, resident of Gwalior (Madhya Pradesh), is indulged in supply of illegal firearms, alleging that he procures firearms from one Sardar (Sikh) of Sendhwa (Madhya Pradesh) on the directions of one Arjun of Gwalior (Madhya Pradesh) and later supplies the same to various contacts of Arjun. It was further alleged that on the said date, the applicant would come near Bhartiya Yog Sansthan, Yogashram Marg, Rohini between 06:00 PM to 07:00 PM to supply illegal firearms to one of the contacts of Arjun and if raid be conducted, then they will be apprehended with huge cache of illegal



firearms. Thereupon, the concerned Investigating Officer (IO) along with raiding party had departed for the place specified. As stated, they had tried to get public witnesses joined, but all refused to join. Allegedly, one person carrying grey colour backpack on his back was found standing at about 20-30 meter before Bhartiya Yog Sansthan subsequently identified to be the present applicant. Eventually, upon examination, 10 semi-automatic pistols were recovered from his bag. All the recovered pistols were seized and taken into police possession through seizure memo, whereafter the present FIR was registered. The applicant was thereafter sent to the judicial custody on 31.05.2025.

3. The learned counsel appearing on behalf of the applicant argues that the applicant has been falsely implicated in the present case, as the applicant was only working as a delivery boy. It is submitted that no eye-witness had joined the raid and therefore the alleged recovery is doubtful. It is further argued that co-accused Arjun Parhar, who was having 9 previous involvements in criminal cases, has already been granted bail by the learned Trial Court, *vide* order dated 21.07.2025. Additionally, it is argued that the applicant is in judicial custody since 31.05.2025. It is thus prayed that the applicant be enlarged on regular bail.

4. The learned APP for the State, on the other hand, argues that the allegations against the present applicant are serious in nature, as 10 semi-automatic pistols were recovered from the possession of the present applicant, which acts as an incriminating evidence against him. It is thus prayed that the present application for bail be rejected.

5. This Court has **heard** arguments addressed on behalf of both the sides and has perused the material available on record.



6. After hearing arguments and going through the case file, this Court is of the opinion that in the present case, it remains admitted that the case of the prosecution is that the applicant was found to be in possession of 10 semi-automatic pistols, which *prima facie* points at his involvement in the commission of offence of trafficking of prohibited arms under the provisions of Section 25 (8) of the Arms Act, 1959. Further, the argument of the learned counsel appearing for the applicant that the applicant be granted bail on the ground of parity is also unmerited, since the role of the present applicant and the recovery made from him is, in its face, materially different from co-accused Arjun Parihar, who had been granted bail by the learned Trial Court as only two pistols had been recovered from the said accused person. Moreover, this Court notes that the said co-accused had been arrested in this case only on the disclosure statement of the present applicant himself.
7. Considering the seriousness of offence, no ground for bail is made. The present bail application is accordingly rejected.
8. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.
9. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

NOVEMBER 03, 2025/A