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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 402/2025 & CRL.M.A. 2839/2025**  
**MONU** .....Petitioner

Through: Mr. Ravi Nayak, Advocate.

versus

**STATE NCT OF DELHI THROUGH SHO PS HARI NAGAR**  
.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP for  
State.  
SI Abhishek, P.S, Hari Nagar.

**CORAM:**  
**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**  
% **25.02.2025**

1. The present application, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023<sup>1</sup> (erstwhile Section 439 of the Code of Criminal Procedure, 1973<sup>2</sup>), seeks grant of regular bail in FIR No. 269/2021 registered under Sections 307 of the Indian Penal Code, 1860<sup>3</sup> at Police Station Hari Nagar, New Delhi. Subsequently the chargesheet was filed for offences under sections 302/394/397/411/120B/34 of the IPC.
2. The case against the Applicant is that he along with the co-accused, Naveen and Vishal, hatched conspiracy to rob the elderly couple living at

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<sup>1</sup> "BNSS"

<sup>2</sup> "Cr.P.C."

<sup>3</sup> "IPC"



CD-24, LIG Flats, Hari Nagar, Delhi on 1<sup>st</sup> June, 2024. The accused Naveen stood outside to keep watch. The Applicant and Vishal are stated to have entered the flat, asked the deceased about the cash and valuables and when she did not co-operate, both of them strangled her and fled with some cash and jewellery.

3. Counsel for the Applicant states that the Applicant has been falsely implicated in the case. The Applicant has been in custody since 2<sup>nd</sup> June, 2021 and that till date only 21 out of 39 witnesses have been examined. Furthermore, all the public witnesses stand examined. Additionally, the co-accused, namely, Naveen @ Sanjay as well as Vishal @ Kattu have already been released on regular bail, by this Court, *vide* orders dated 24<sup>th</sup> January, 2024 in Bail Appln. 3594/2023 and order dated 29<sup>th</sup> April, 2024 in Bail Appln. 1056/2024 respectively.

4. On the other hand, the bail application is vehemently opposed by Mr. Yudhvir Singh Chauhan, APP for the State. Mr. Chauhan argues that the role attributed to the Petitioner is different from the co-accused who have been granted bail. He submits that the Applicant was the care taker of the deceased and he is the master mind behind the incident.

5. Heard. The Petitioner has been in custody for over 3 years 8 months now. Furthermore, although the Applicant was the caretaker of the deceased, the role attributed to the Applicant, is quite similar to the one against the co-accused, Vishal@Kattu, who has already been granted bail. The Applicant is thus entitled to be enlarged on bail on the grounds of parity.

6. Considering that the co-accused have been granted bail, the period of custody as well as the fact that all the public witnesses stand examined, it is directed that the Applicant be released on regular bail.



7. The Applicant is, therefore, directed to be released on bail on furnishing a personal bond for a sum of INR 50,000/- with two sureties of the like amount, subject to the satisfaction of the Trial Court, on the following conditions:

- a. 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;
- b. The Applicant shall under no circumstance leave the NCT of Delhi without the prior permission of the Trial Court;
- c. The Applicant shall appear before the Trial Court as and when directed;
- d. The Applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- e. The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
- f. The Applicant shall report to the concerned Police station on fourth Friday of every month;

8. In the event of there being any FIR/DD entry / complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

9. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.



10. The bail application is allowed in the afore-mentioned terms.

**SANJEEV NARULA, J**

**FEBRUARY 25, 2025**

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