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

+ BAIL APPLN. 795/2026, CRL.M.A. 6100/2026, CRL.M.A. 6101/2026
SAURAVApplicant

Through: Mr. Mayank Choudhary,
Advocate.

versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Yudhvir Singh Chauhan, APP
for State.
SI Gulab Singh, ISC, Crime
Branch, Chanakyapuri.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **16.04.2026**

1. By way of this application, the applicant seeks regular bail in connection with FIR No. 106/2025 dated 02.05.2025, registered at Police Station Crime Branch (Delhi), under Section 25 of the Arms Act, 1959 ["Arms Act"]. Subsequently, the offences under Section 25(1A) of the Arms Act and Section 111(2)(b) of the Bharatiya Nyaya Sanhita, 2023, ["BNS"] have also been added.

2. I have heard Mr. Mayank Choudhary, learned counsel for the applicant, and Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor for the State. Pursuant to the order dated 24.02.2026, Mr. Chauhan has also handed over a status report, which is taken on record.

3. As per the status report, the prosecution case, in brief, is that specific information was received on 02.05.2025 regarding the supply of illegal arms and ammunition. Pursuant thereto, a Hyundai Aura car



bearing No. HR-58E-4145 was intercepted on the Chandigarh–Delhi Highway near Mantram Hotel and Resort, Alipur, Delhi. A co-accused, namely Sumit Ghanghas, was travelling in the said vehicle, and upon search, a box containing 45 live cartridges of 7.62 mm (.30 bore) was recovered. On the basis of the aforesaid recovery, the subject FIR was registered and investigation was taken up.

4. The aforesaid co-accused disclosed the names of his brother, Rahul Ghanghas, as well as Ashish and Rohit Kumar, as being involved in the offences, pursuant to which they were also arrested. One pistol along with five live cartridges of .30 bore was recovered from Rahul Ghanghas; one pistol along with three live cartridges of .30 bore was recovered from Ashish; and one pistol along with five live cartridges of .30 bore was recovered from Rohit Kumar.

5. Upon interrogation, Rahul Ghanghas disclosed the name of the present applicant as having been involved in a separate offence of firing at the house of a businessman in Anand Vihar, Delhi, allegedly on the instructions of gangster Gurjant Janta. On the basis of the said disclosure, a raid was conducted in Idgah Colony, P.S. Model Town, Panipat, from where the applicant, Saurav, along with another co-accused, Rahul Kashyap, was apprehended on 04.05.2025. One pistol along with five live cartridges of .32 bore was recovered at their instance.

6. It is alleged that, upon interrogation, it was revealed that the said pistol and live cartridges were initially handed over by Rahul Ghanghas to Rahul Kashyap and were thereafter given to the applicant, Saurav. Rahul Ghanghas had also allegedly informed them on 03.05.2025 that his brother, Sumit, had been arrested, whereupon Rahul Kashyap instructed the applicant to dispose of the pistol and cartridges. It is stated that the



said weapon and ammunition were disposed of in a park in Panipat, from where they were subsequently recovered.

7. Two other co-accused, namely Preet Pal Singh and Deepak @ Gola, were thereafter arrested from Ambala City. At the instance of Preet Pal Singh, the shoes allegedly worn by the applicant at the time of the firing incident were recovered. Further, a country-made pistol along with one live cartridge, allegedly given to him by Rahul Ghanghas, was also recovered.

8. Upon completion of investigation, chargesheet was filed on 28.06.2025 under Sections 25/25(1A) of the Arms Act and Section 111(2)(b) of the BNS, and there are no public witnesses.

9. The case of the applicant in this application is principally based on a claim of parity. Out of the eight accused, who are all stated to be members of the same gang, six are already on bail in connection with the present FIR. Mr. Choudhary points out that these include Rahul Kashyap, from whom joint recovery was made along with the present applicant. He was granted bail by an order of the learned Sessions Court dated 19.08.2025, after three and a half months of custody. A copy of the said order has been placed on record. Similarly, co-accused Rohit Kumar, Ashish, Sumit Ghanghas, Preet Pal Singh, and Deepak @ Gola have all been granted bail.

10. The only ground raised by Mr. Chauhan to oppose the applicant's claim on parity is his involvement in four other FIRs, as stated in the nominal roll. Upon inquiry, Mr. Chauhan submits that two of the involvements are in Panipat [being FIR No. 313/2020, registered under Sections 307/323/506/34 of the Indian Penal Code, 1860, at P.S. Model Town Panipat, and FIR No. 99/2025, registered under Sections



238A/309(4)/317(3) of the BNS, P.S. Israna, Panipat] and two are in Delhi [being FIR No. 133/2025, registered under Sections 308(4)/61(2) of the BNS, and FIR No. 174/2025 registered under Sections 125/249/61(2) of the BNS and Section 25/27 of the Arms Act, 1959, both at P.S. Anand Vihar]. FIR No. 174/2025 concerns the incident of shooting in which the applicant is accused of having fired at the house of a businessman in Anand Vihar. It is the admitted position that he is already on bail in that FIR. In FIR No. 133/2025, however, he remains in custody. As far as the Panipat FIRs are concerned, Mr. Choudhary states that he is on bail in FIR No. 313/2020 and remains in judicial custody in FIR No. 99/2025.

11. Having heard learned counsel for the parties, I am of the view that the applicant is entitled to bail in the present FIR, on parity with the other co-accused. There is no allegation of any incident of shooting, or use of the firearms, in the present FIR. The alleged recovery at the instance of the present applicant was of one pistol and five live cartridges, which was jointly made with Rahul Kashyap. Rahul Kashyap was granted bail by the learned Sessions Court on 19.08.2025, which has not been challenged by the prosecution. In fact, orders granting bail to the other co-accused, on 21.08.2025 in the case of Rohit Kumar and Ashish, 01.09.2025 in the case of Sumit Ghanghas and Preet Pal, and 02.09.2025 in the case of Deepak @ Gola, have all been accepted by the prosecution.

12. As far as the applicant's prior criminal involvements are concerned, it may first be noted that co-accused Rahul Kashyap also had a number of prior involvements. The principal argument of Mr. Chauhan was that the applicant was an accused who is alleged to be the shooter in FIR No. 174/2025 at Police Station Anand Vihar; however, he is already on bail in that case. In such circumstances, I do not consider it



appropriate to deny bail to the applicant only on the ground of his prior involvements. As laid down by the Supreme Court in *Prabhakar Tewari v. State of Uttar Pradesh and Anr.* [(2020) 11 SCC 648], the prior involvement of an accused need not always lead to the conclusion that he must be denied bail in a subsequent FIR.

13. Needless to say, the present order is confined only to the subject FIR, and the applicant's application for bail in any other FIR will have to be assessed on their own merits.

14. It is, therefore, directed that the applicant be released on regular bail in connection with FIR No. 106/2025 dated 02.05.2025, registered at Police Station Crime Branch (Delhi), subject to furnishing a bail bond in the sum of Rs. 50,000/- with one surety of the like amount, to the satisfaction of the Trial Court/Duty Magistrate, and subject to the following conditions:

- a. The applicant shall appear before the Sessions Court on each and every date of hearing;
- b. The applicant shall furnish his permanent address to the concerned IO/Station House Officer ["SHO"], as well as the address at which he is residing during the pendency of the case, and shall, in the event of any change in his residential address, promptly intimate the IO/SHO and file an affidavit before the Sessions Court;
- c. The applicant shall provide his mobile number to the concerned IO/SHO, which shall be kept in working condition at all times. The mobile number shall not be switched off or changed without prior intimation to the IO during the pendency of the trial;



- d. The applicant shall not, directly or indirectly, contact, visit, or offer any inducement, threat, or promise to any prosecution witnesses or other persons acquainted with the facts of the case;
 - e. The applicant shall not, directly or indirectly, tamper with evidence or engage in any act or omission that could prejudice the proceedings of the pending trial;
 - f. The applicant shall not leave the country without prior permission of the Sessions Court;
 - g. The applicant shall not commit any offence during the period of his release.
15. The bail application, alongwith the pending applications, is disposed of in terms of the above.
16. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.
17. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

PRATEEK JALAN, J

APRIL 16, 2026

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