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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 944/2026

NEERAJ TIWARI

.....Applicant

Through: Mr. Kishor Kunal, Mr. Rahul Tiwari, Mr. Harnaman Singh & Mr. Manvendra Mukul, Advocates.

versus

GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for State.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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16.04.2026

1. By way of the present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with FIR No. 891/2025, dated 25.11.2025, registered under Sections 309(4)/309(6)/311 of the Bharatiya Nyaya Sanhita, 2023 ["BNS"] at Police Station Nihal Vihar, Outer District, Delhi.
2. I have heard Mr. Kishor Kunal, learned counsel for the applicant, and Ms. Manjeet Arya, learned Additional Public Prosecutor for the State. The victim/complainant was given notice of the present proceedings and appeared on 23.03.2026, when he declined the assistance of counsel. He is not represented today.
3. The applicant had earlier applied for bail before the learned Sessions Court, which was rejected by order dated 31.01.2026. The reply filed by the Investigating Officer ["IO"] before the learned Sessions Court has been placed on record, and Ms. Arya wishes to rely upon the same rather than file a fresh status report before this Court.
4. The case of the prosecution, as it appears therefrom, is that a



complaint was received on 25.11.2025, wherein the complainant stated that on 22.11.2025 at about 6:00 AM, while he was on a morning walk and had reached near Nand Gopal Halwai, Adhyapak Nagar, Nangloi, Delhi, one boy suddenly came from behind and slapped him on the neck. When the complainant turned back, the said boy demanded that he hand over all his belongings. Upon resistance, the assailant caught hold of his neck with both hands, causing him to fall to the ground, and thereafter assaulted him with fists and blows, resulting in damage to his spectacles and injuries to his eyes. The assailant then took away a sum of approximately Rs. 10,000/- to 12,000/- from the complainant's shirt pocket and fled from the spot in a car.

5. Mr. Kunal submits that the assailant has since been identified as co-accused Himanshu, who is also the applicant's brother. The applicant's involvement is sought to be established only on the basis of CCTV footage, which shows that he was also in the car. He states that the applicant has been in custody for a period of approximately four and a half months, during which period the investigation has been completed and the chargesheet has been filed.

6. Mr. Kunal seeks parity with the case of co-accused Himanshu and Dheeraj, who are both the applicant's brothers. They have both been granted bail by the learned Sessions Court vide orders dated 28.03.2026 and 06.04.2026, respectively. Copies of the said orders have been handed up in Court and are taken on record. Mr. Kunal submits that the case of the present applicant stands on a higher footing, as the allegedly stolen money was recovered from Himanshu and the vehicle was recovered from Dheeraj. There was, in contrast, no recovery from the present applicant at all.



7. Mr. Kunal has also drawn my attention to a Compromise Deed dated 19.01.2026, from which it *prima facie* appears that the matter has been settled between the father of the accused, and the complainant, without any monetary consideration.

8. Ms. Arya does not dispute that the co-accused have been granted bail by the learned Sessions Court and that the role of the present applicant is no graver than that of the others.

9. Having regard to the fact that the investigation is complete and the chargesheet has been filed, and that bail has been granted to the co-accused from whom recoveries were effected, I am of the view that the present applicant is also entitled to the concession of bail. It may be noted that no recovery was effected from the present applicant; rather, the stolen money was recovered from Himanshu and the vehicle was recovered from Dheeraj. The applicant is also not the person who is alleged to have actively committed the offence.

10. Having regard to these factors, it is directed that the applicant be released on regular bail in connection with FIR No. 891/2025 under Sections 309(4)/309(6)/311 of the BNS at P.S. Nihal Vihar, Outer District, Delhi, subject to furnishing a bail bond in the sum of Rs. 25,000/- with one surety in the like amount, to the satisfaction of the learned 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, 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.

11. The bail application is disposed of in terms of the above.

12. 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.

13. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

PRATEEK JALAN, J

APRIL 16, 2026

'pv/JM'/'