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

+ **BAIL APPLN. 1112/2026**

DEEPAK KUMAR MISHRA

.....Petitioner

Through: Mr. Rishipal Singh, Mr. Dinesh Kumar, Ms. Radha Rani, Ms. Pooja Rawat and Ms. Manasi Goswami, Advs.

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

% **19.03.2026**

CRL.M.A. 8393/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

BAIL APPLN. 1112/2026

3. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 529/2025, registered at Police Station Narela, Delhi for the commission of offence punishable under Sections 103(1) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS')
4. Brief facts of the case that on 29.07.2025, a PCR call was received informing that a woman, aged about 30 years, was lying on the road behind E-2 Block, Mansha Devi Apartments, Narela, and that she might be dead.



Upon reaching the spot, the police had found a woman lying on the road in an injured condition, with serious injuries on her head and body. Her clothes were found torn, and several articles including broken bricks, a vegetable peeler, shoes, socks with blood-like stains, and other broken items were lying scattered around the spot. When the police was present at the spot, the mobile phone recovered from the deceased had started ringing, and the caller had disclosed his name as Deepak. He stated that a quarrel had taken place between one Deepak (present applicant), residing in Flat No. 614, and the deceased Sadhana. At the same time, the police noticed a boy standing completely naked on the balcony of Flat No. 614 on the sixth floor, shouting loudly and throwing a piece of brick downwards. The police had immediately reached the said flat, which was found locked from inside. Upon forced entry, the said person was found inside the flat in a naked condition. On inquiry, he disclosed his name as Deepak Kumar Mishra (the present applicant) and identified the deceased as Sadhana Singh, but failed to give any satisfactory explanation regarding the incident. During inspection, the crime team and FSL team collected various exhibits from both the spot and the flat, including blood-stained samples, bed-sheet, pillow cover, hair, broken buttons and other articles. The dead body of the deceased was sent for post-mortem. On the basis of the condition of the spot, the state of the deceased, and the circumstances in which the applicant was found present inside the flat, the present FIR was registered for offence under Section 103(1) of the BNS.

5. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case and that there is no cogent evidence on record to connect him with the alleged offence. It is



contended that the screenshots of chats allegedly provided by one Deepak @ Mukhiya do not disclose any clear dispute or quarrel between the deceased and the present applicant and are insufficient to establish any motive on the part of the applicant. It is further submitted that the disclosure statement of the applicant, wherein he is alleged to have admitted to throwing the deceased from the balcony, is inadmissible in evidence and cannot be relied upon. The learned counsel also argues that the mental condition of the applicant is not stable and that he is not mentally sound. It is additionally argued that there are several contradictions in the prosecution case. While it is alleged that the applicant was found inside the flat on the date of the incident, the prosecution simultaneously claims that he had fled from the spot and was later found roaming on the streets on 01.08.2025, when he was found by the police. This, according to the learned counsel, raises serious doubts as to the whereabouts of the applicant during the period from 29.07.2025 to 01.08.2025. It is thus argued that the applicant was, in fact, taken into custody on 29.07.2025 itself, and the subsequent version put forth by the I.O. has been altered to suit the prosecution case. It is further argued that investigation in the case is already complete and therefore, it is prayed that the applicant be admitted to bail.

6. The learned APP for the State opposes the present bail application and argues that the case pertains to the brutal murder of the victim, whose dead body was recovered on 29.07.2025. The learned APP further contends that the deceased was last seen in the company of the accused inside the flat in question and the accused was found present therein in suspicious circumstances, in a naked condition, and failed to give any explanation. It is further submitted that the post-mortem report establishes homicidal death



and that various incriminating articles and electronic evidence in the form of chats connect the accused with the offence. It is also argued that the plea of mental illness is false and unsupported, as the Medical Board has found no active psychiatric illness, and even the private medical documents relied upon by the accused have been found to be doubtful during verification. As regards the argument of applicant regarding he having been arrested on the day of incident itself, the learned APP submits, on instructions from I.O., that the applicant herein was not apprehended on the date of incident and had managed to escape from the spot. He was subsequently found roaming in the area on 01.08.2025 in an abnormal and hyperactive condition, whereafter he was taken to Raja Harish Chandra Hospital and then referred to IHBAS. It is further submitted that on 05.08.2025, he was discharged against medical advice and produced before the learned Court, which directed constitution of a Medical Board. The Board, *vide* report dated 22.08.2025, found him fit to join investigation, and thereafter, he was formally arrested on 23.08.2025. On these grounds, it is prayed that the bail application be dismissed.

7. This Court has **heard** and considered the submissions advanced on behalf of the applicant as well as the State, and perused the record.

8. The present case pertains to the death of a woman, aged about 30 years, whose body was recovered on 29.07.2025 from the road behind E-2 Block, Mansha Devi Apartments, Narela. As per the prosecution, she had been thrown from the sixth floor of the building. The post-mortem report opines that the cause of death was hemorrhage and shock consequent upon multiple injuries to the head, chest and abdomen, which were sufficient to



cause death in the ordinary course of nature.

9. It is the case of the prosecution that the deceased was last present with the applicant inside Flat No. 614, E-2 Block, Mansha Devi Apartments. The applicant was found inside the said flat in a completely naked condition, after the police had broken open the door, which was locked from inside, and he had also failed to give any satisfactory explanation regarding the incident. It is further the case of the prosecution that in his disclosure statement, the applicant has stated that he was in a relationship with the deceased and that on 28.07.2025, a quarrel had taken place between them after the deceased had come to know about his proposed engagement. It is alleged that during the quarrel, he had assaulted her, and thereafter, in a fit of rage, had hung her from the balcony and thrown her down, and also thrown other objects such as a water jug and shoes from above.

10. The condition in which the deceased was found at the spot cannot also be ignored by this Court at this stage. The deceased was found lying on the road with serious injuries, with her clothes torn, and various articles such as broken bricks, a vegetable peeler, shoes, socks with blood-like stains, broken household items and other objects were found scattered around the body. At the same time, the applicant was seen standing in a naked condition on the balcony of the sixth floor and throwing pieces of bricks downwards.

11. This Court further notes that the during investigation, statements of neighbours Rajeshwar Singh and Satish were recorded who stated that the present applicant had been residing in Flat No. 614 for about two and a half months and that on the night prior to the incident, a girl was seen in his flat, who was later found dead near the building on the next day. The father of



the deceased has also disclosed in his statement given to the police that the applicant was known to his daughter and wanted to marry her, but she had refused. As alleged by him, the applicant was pressurising his daughter for marriage and that he had been informed that the applicant had beaten his daughter and thrown her from the balcony.

12. The prosecution, at this stage, also relies on electronic evidence, including WhatsApp and Instagram chats, which were brought to the notice of the police by another person named Deepak @ Mukhiya. Moreover, the analysis of the CDRs reveals that there were as many as 119 calls exchanged between the applicant and the deceased during the month of July. Further, the location details of both the mobile phones place them in and around Narela and Kundli at the relevant time, including the date of the incident.

13. It is also pertinent to note that during investigation, several articles were recovered from the flat of the applicant, including blood-stained exhibits, bed-sheet, pillow cover, broken buttons matching those found on the clothes of the deceased, and female hair, indicating that a struggle had taken place inside the room. Documents belonging to both the deceased and the applicant were also recovered from the said flat.

14. As regards the plea of mental illness, the record shows that the applicant was taken to hospital and referred to IHBAS, where a Medical Board was constituted. The Medical Board has opined that although there may be a past history suggestive of psychiatric illness, there is no evidence of any active psychiatric illness of the applicant at present, and he is fit to join investigation and stand trial. The documents relied upon by the applicant from private diagnostic centres have also been found to be



doubtful upon verification.

15. Therefore, considering the nature and gravity of allegations, the material collected during investigation against the present accused/applicant including the last seen evidence, the condition in which the deceased and the applicant were found at the time of incident, the statements of witnesses, the recoveries effected from the applicant's flat, and the electronic evidence on record, this Court finds no ground to grant regular bail to the applicant.

16. Accordingly, the present bail application stands dismissed.

17. It is however clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

18. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 19, 2026/A

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