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

+ **BAIL APPLN. 4187/2025**

MONIKA RANI

.....Petitioner

Through: Mr. Deepanshu Choithani and Mr.
Madhav Nagpal, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP for the State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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06.05.2026

CRL.M.A. 32490/2025 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

BAIL APPLN. 4187/2025

By way of the present petition filed under section 439 read with section 482 of the Code of Criminal Procedure 1973, the petitioner seeks regular bail in case FIR No.171/2023 dated 10.04.2023 registered under sections 457/392/397/302 of the Indian Penal Code, 1860 ('IPC') at P.S.: Gokul Puri, North-East, Delhi. Consequent upon completion of investigation, offences under sections 394/411/201/120-B/34 IPC have been added and offence under section 392 IPC has been removed *vidé* chargesheet dated 08.07.2023.

2. Notice on this petition was issued on 04.11.2025.
3. Status report under cover of Index dated 16.01.2026 has been filed on behalf of the State.
4. Nominal roll dated 10.03.2026 has been received from the Jail Superintendent.



5. The date of the alleged offence is stated to be 09.04.2023.
6. Mr. Deepanshu Choithani, learned counsel appearing for the petitioner submits, that the petitioner – **Monika Rani** – is the daughter-in-law of the two deceased persons viz., **Radhey Shyam** and **Beena Rani**.
7. It is submitted that the role attributed to the petitioner in the chargesheet is, that she had conspired with 02 co-accused-persons viz., **Viraj @ Vikas** and **Ashish Bhargav**, to murder her parents-in-law; and to that end, she had permitted the 02 co-accused persons entry from the backdoor of the house where she was residing with her husband and in-laws.
8. Attention is drawn to what is narrated in the chargesheet filed by the Investigating Officer, in which the allegations against the petitioner run as follows:

and on 9650686272 is of 16.07 PM. Thereafter Ashish Bhargav started using new specially arranged number 9810538740 and Monika started 7618520312. Thereafter they both remained active on these two numbers for execution of their plan of murder. Calls were regularly made from both sides i.e by Ashish Bhargav and by Monika Rani. Position of third accused Viraj was also along with Ashish Bhargav. CCTV footage taken from the wine shop Delhi shows that both, Ashish Bhargav and Viraj were together at 18.31 PM on 9th April 2023 and the location of the specially arranged mobile 9810538740 was also at the same place. That thereafter, they were also seen in the motor cycle at Gali No.11 Bhagirathi Vihar Delhi at 18.51 PM and 18.59 PM, just near the place of occurrence.

That after 18.59 PM dated 9th April 2023, both accused Ashish and Viraj entered the house of the couple from the back side on the instance of accused Monika Rani. Then they hide at the roof top and lurking their position. Thereafter location of both new specially arranged number 9810538740 and 7618520312 remained at the same location of Bhagirathi Vihar till 2.12 Am dated 10th April 2023. That Samosas and cold drinks and empty glasses were found at the roof top establishing their position at the top.

(underscoring supplied)



9. It is submitted by learned counsel for the petitioner that the chargesheet contains inherent contradictions, inasmuch as in one part, it is alleged that the petitioner was in a relationship with Ashish Bhargav and that both *used to visit each other's houses*; however, in another part, it is alleged that on the date of the incident, the petitioner *informed* Ashish Bhargav about the location of her house, where the deceased persons also resided. It is contended that these inconsistent allegations within the chargesheet render the prosecution's case doubtful. In this behalf, attention is drawn to the following portion of the chargesheet:

मुश्किमा मोनिका रानी का फर्द इकनाफ लिखा जिसके अंतर्गत उसने बताया की फेसबुक के माध्यम से मेरी दोस्त आशीष नाम के लड़के से हुई थी जिसका मोबाइल नंबर 9311628459 है जो शास्त्री नगर, महिंद्रा एन्क्लेव, Ghaziabad में रहता है और हम दोनों का एक दूसरे के घर आना जाना भी होता है। जो मन इम्पेक्टर ने एक टीम तैयार कर आशीष के घर H. No. 122, Shastri Nagar, Mahindra Enclave, Ghaziabad भेजी तो पता चला की आशीष बल से ही घर से नाचब है जो अभी तक घर नहीं आया है, इसके बाद मन इम्पेक्टर ने सीनियर ऑफिसर से discuss किया और अपना शक मोनिका रानी पर जाहिर किया, व मुश्किमा मोनिका रानी ने बताया की दिनांक 20.02.2023 & 27.02.2023 को मैं आशीष से ईंड होटल विला A-449 मीत नगर मेन बजीराबाद रोड दिल्ली में मोनिका रानी आशीष से मिली थी। मोनिका ने आशीष से मिलकर अपने साम सामुर के बिकर माजिश रही थी घर में आका डलवाकर बड़े बूझीया को मरवा देते हैं व रवि रतन को इसके बाद अपने रखने से हटा देने। जो इस काम को करने के लिए आशीष ने मोनिका को एक सिम व छोटा कीपैड वाला फोन दिया जिससे वह छुपकर आशीष से बातें करने लगी व उससे मिलकर घटना को अंजाम देने की साजिश रचती रही। इसी बीच कई महीनों से आशीष अपने दोस्त विराट @ चिराट के साथ घटना को अंजाम देने के लिए प्लान बनाते रहे किन्तु तैयारी न हो पाने के कारण घटना को अंजाम नहीं दे पाए इसके विषय में मोनिका को भी पता थी। इसी तम में मोनिका रानी ने 09.04.2023 की शाम करीब 6-7 बजे मोबाइल फोन पर आशीष को अपने घर का लोकेशन बताती रही। आशीष अपने दोस्त जिसका नाम विराट है के साथ मोटर साइकिल से शाम के करीब 7 बजे अपने मोनिका रानी के घर आया जो मोनिका रानी ने अपने मकान के पिछले गेट से आशीष व विराट @ चिराट को अन्दर कर लिया और सीधे उन दोनों को अपने मकान की छत पर ले गई जो आशीष और उसका दोस्त विराट छत की मोमटी के साथ बिठा दिया। विराट ने एक

(underscoring supplied)

10. It is further pointed-out, that though the prosecution cites certain CCTV footage claiming that it shows the two co-accused persons speeding down the back-lane of the petitioner's house on a motorbike when *leaving*, no CCTV footage has been cited by the prosecution to show that the co-accused persons *entered* the house through the back



door. It is the petitioner's contention that in fact the latch on the backdoor of the house was found broken, showing signs of forced entry.

11. Counsel submits, that it is also the prosecution case that the petitioner was having an extramarital affair with Ashish Bhargav; and that they were in telephonic communication with each other, with almost 1500 calls having been made between the two of them from 10.01.2023 to 10.04.2023. Counsel submits, that according to the prosecution, a "*specially arranged phone*" on which the petitioner used to call Ashish Bhargav has been recovered from her; and that, at her instance, some of the jewelry that was robbed as part of the offence has also been recovered. It is argued that if it is the prosecution's allegation that the petitioner was having an affair with Ashish Bhargav, then the fact that the two of them were in telephonic conversation, howsoever often, is irrelevant insofar as the offences contained in the chargesheet are concerned.
12. Most importantly, counsel argues that the prosecution has cited 57 *witnesses* in the charge-sheet, but *only 16* of those witnesses have been examined so far; and it is therefore clear that the trial will take a very long time to conclude. However in the meantime, the petitioner has suffered judicial custody as an under-trial for about 03 years and 01 month as of now, as will be seen from the nominal roll.
13. Opposing the grant of bail, Mr. Shoaib Haider, learned APP for the State argues, that the petitioner was one of the main conspirators for the double murder of her parents-in-law, which she arranged through her friends, Ashish Bhargav and Viraj @ Vikas.



14. Learned APP submits, that between 10.01.2023 and 10.04.2023, 1500 cellphone calls were made between the petitioner and Ashish Bhargav; and 90 calls were made between her and Viraj @ Vikas, which calls had to do with the conspiracy for committing the offences.
15. Learned APP further points-out, that evidence has come on record to show that the petitioner met Ashish Bhargav on multiple occasions at an OYO Hotel for finalizing the plan of murdering her in-laws.
16. Mr. Haider argues, that the CCTV footage collected in the course of investigation shows that on 10.04.2023 at about 02:13 a.m., 02 persons on a motorcycle exited the back-street of the house where the deceased persons used to reside.
17. Mr. Haider further draws the attention of this court to what is narrated in the status report, wherein it is stated that the deceased father-in-law had entered into an agreement to sell a portion of the house and had received earnest money in that regard. It is further alleged that the petitioner was aware of the presence of such money in the house, which is stated to have been the target of the robbery.
18. Upon a conspectus of the submissions made, and upon perusing the material on record, the considerations that weigh with the court *at this stage* are the following:
 - 18.1. That the probative value of the CDR locations of the petitioner and co-accused Ashish Bhargav, including at an OYO Hotel, and the call connectivity between the two, would have to be tested at the trial, since it is the prosecution's own case that the two were having an extramarital affair. The relevance of the



CDR locations and the call connectivity in support of the allegations of murder and robbery, would have to be seen;

18.2. That there is no material on record, other than the petitioner's disclosure statement, to support the prosecution allegation that the petitioner had allowed entry to co-accused Ashish Bhargav and Viraj @ Vikas through the backdoor of the house; and though the prosecution cites CCTV footage alleging that Ashish Bhargav and Viraj @ Vikas were seen driving-down the back lane of the house, no CCTV footage appears to be on record to show that they had entered the house from the backdoor; and

18.3. Most significantly, out of the 57 prosecution witnesses cited in the chargesheet, only 16 have been examined so far; and therefore, it requires no prescience to say that trial in the matter will take a long time to conclude. In the aforesaid circumstances, continued judicial custody of the petitioner, who is a woman, as an undertrial for a period exceeding 03 years, is not justified.

19. As a sequitur to the above, and without commenting on the merits of the evidence collected in the matter, this court is persuaded to allow the present petition.

20. Accordingly, the petitioner – **Monika Rani w/o Ravi Rattan Singh** – is admitted to *regular bail* pending trial, subject to the following conditions:

20.1. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- (Rupees Twenty-five Thousand Only) with 02



sureties in the like amount from family members, to the satisfaction of the learned trial court;

- 20.2. The petitioner shall furnish to the Investigating Officer a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 20.3. If the petitioner has a passport, she shall surrender the same to the learned trial court and shall not travel out of the country without prior permission of the learned trial court;
- 20.4. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial; and
- 20.5. In case of any change in her residential address/contact details, the petitioner shall promptly inform the I.O. in writing.
21. Since the petitioner is facing trial and would therefore be appearing before the learned trial court from time-to-time, it is not considered necessary to impose a reporting requirement as a condition of regular bail.
22. Nothing in this order shall be construed as an expression of opinion on the merits of the pending matter.
23. A copy of this order be sent to the concerned Jail Superintendent *forthwith*.



24. The petition stands disposed-of in the above terms.
25. Pending applications, if any, are also disposed-of.

ANUP JAIRAM BHAMBHANI, J.

MAY 6, 2026

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