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

+ **BAIL APPLN. 4652/2025**

SMT LAXMI SONKAR @ KAJALPetitioner
Through: **Ms. Seema Gupta, Adv.**

versus

THE STATE NCT OF DELHIRespondent
Through: **Mr. Raghuinder Verma, APP for
the State with SI Kiranpal Singh,
PS.: Subzi Mandi**

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
12.03.2026

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1. By virtue of the present application under *Section 483* read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023³, the applicant, namely Laxmi @ Kajal seeks grant of regular bail in proceeding arising out of FIR No.125/2025 dated 16.03.2025 registered at Police Station Subzi Mandi, Delhi under *Sections 109(1)/115(2)/3(5)* of the Bharatiya Nyaya Sanhita, 2023⁴.

2. *Briefly put*, the FIR came to be registered on the statement of the complainant Vicky @ Nikka, who alleged that on 14.03.2025 at about 4:00 PM, while he was playing Holi with his family outside his house, a verbal altercation broke about between his family and the accused persons, which soon escalated into physical confrontation, culminating in the

³ Hereinafter referred to as '**BNSS**'

⁴ Hereinafter referred to as '**BNS**'



alleged fateful incident of firing by the co-accused person Varun and Mohit @ Nanga. Insofar as the present applicant is concerned, it has been alleged that upon being asked by the co-accused Varun, she brought two pistols from her hut (jhuggi), which were used for firing. Based thereon, the co-accused persons Deepak and Mohit @ Nanga were arrested, who, during interrogation disclosed, their involvement in the alleged offence, whereafter the chargesheet was filed against them.

3. Thereafter, during the course of investigation, the video footage of CCTV cameras installed nearby the place of incident were analysed, wherein the co-accused Mohit @ Nanga is be seen to be carrying pistol in both his hands, while the present applicant along with the other co-accused persons namely Deepak, Anita and Varun are seen quarrelling with the complainant party, and the co-accused person Varun and Deepak were also seen to be pelting stones upon the complainant's party. Subsequently, on 06.07.2025, the applicant along with other co-accused persons Varun and Anita were arrested and after investigation, supplementary chargesheet was filed against them.

4. In this backdrop, learned counsel for the applicant submits that *[i]* the applicant has been falsely implicated and is in custody since 07.07.2025; *[ii]* that as per CCTV footage and charge sheet the applicant along with Deepak, Anita and Varun were quarrelling with complainant party, however, neither injury has been caused by the applicant to any of the victims, nor is she seen bringing and providing pistols to Mohit @ Nanga and Varun; *[iii]* that the applicant has two infant daughters aged about 4 and 3 years and there is no one to look after them *[iv]* all the injured were discharged from the hospital on the same day; *[v]* the



investigation has already been concluded and chargesheet has already been filed and the matter is listed for framing of charge and therefore, no useful purpose would be served by keeping the applicant in continued custody.

5. *Per contra*, learned APP for the State, relying upon the Status Report, opposed the present bail application and submits that *[i]* the offence committed by the applicant along with other co-accused persons is of serious nature; *[ii]* that during investigation, Non-Bailable Warrants were issued against the applicant and there is strong suspicion that the applicant may jump the bail and may influence the witness.

6. Heard learned counsels for the parties and perused documents on record as also the Status Report filed by the State.

7. *Prima facie*, what emerges from the record is that the alleged incident appears to be result of a sudden and spontaneous quarrel that occurred during the course of Holi celebrations and there is nothing on record to suggest there was any premeditation to commit the alleged offence. Moreover, the role of the applicant, as per the supplementary chargesheet, is only limited to the extent of quarrelling with the complainant's family and she is neither involved in bringing the pistol or firing it or pelting stones. In these circumstances, particularly since the applicant is a mother of two minor children and is languishing in jail since more than 8 months, where her conduct as per Nominal Roll is stated to be satisfactory, as also considering that the investigation already stands completed and the matter is presently listed for framing of charges, this Court does not consider the continued incarceration of the applicant to be necessary.



8. Accordingly, the applicant is granted regular bail in proceeding arising out of FIR No.125/2025 dated 16.03.2025 registered at Police Station Subzi Mandi, Delhi under *Sections 109(1)/115(2)/3(5)* of the BNS. The applicant be released subject to her furnishing a personal bond in the sum of Rs.50,000/- [*Rupees Fifty Thousand Only*] along with one surety of the like amount by a family member/ friend having no criminal case pending against them, subject to the satisfaction of the learned Trial Court, and further subject to the following conditions:-

- i. Applicant shall not leave NCT of Delhi without prior permission of this Court and shall ordinarily reside at the address as per prison records. If she wishes to change her residential address, he shall immediately intimate about the same to the concerned Jail Superintendent by way of an affidavit.
- ii. Applicant shall surrender her passport, if any, to the IO, within *three days*.
- iii. Applicant shall appear before the Court as and when the matter is taken up for hearing.
- iv. Applicant shall provide all her mobile numbers to the IO concerned which shall be kept in working condition at all times and setting of mobile location be kept on at all times.
- v. Applicant shall report to the IO at PS.: Subzi Mandi, Delhi once every month in the first week of the month unless leave of every such absence is obtained from the learned Trial Court.
- vi. Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the prosecution witnesses, or tamper with the evidence of the case.



9. Accordingly, the present application is allowed and disposed of in the aforesaid terms.

10. Copy of this order be sent to the concerned Jail Superintendent for necessary information and compliance thereof.

11. Needless to say, observations made herein, if any, on the merits of the matter are purely for the purposes of adjudicating the present application and shall not be construed as expressions on the merits of the matter.

SAURABH BANERJEE, J

MARCH 12, 2026/bh