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

+ **BAIL APPLN. 5068/2025**

TOHID

.....Petitioner

Through: Mr. Suraj Prakash Sharma, Adv.
(Through VC)

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Raghuinder Verma, APP for
the State with Mr. Aditya Vikram
Singh, Ms. Upasna Bakshi and Ms.
Niketa Manish, Advs.
Mr. Anuj Kapoor, Adv. for the
complainant
SI- Himanshu, PS: Alipur.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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26.05.2026

1. By virtue of the present bail application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant seeks grant of regular bail in FIR No.287/2025 dated 21.05.2025 registered under *Sections 105/238(B)/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**) at PS.: Alipur.

2. At the outset, learned counsel for the complainant has handed over a copy of the complaint made by wife of the deceased to PS.: Narela Industrial Area, Delhi on 06.08.2025, which is taken on record. The same depicts the threat faced by her from the family of the applicant much after



the commission of the offence.

3. *Briefly put*, as per FIR, on 19.05.2025, pursuant to an intimation, the police officials reached the spot, where they found the deceased. During investigation, it was revealed that on the intervening night of 18/19.05.2025, the deceased along with the applicant and the other co-accused persons were travelling on motorcycle, whence the motorcycle lost balance and banged into the divider nearby. This resulted in serious injuries to the deceased. However, instead of taking the deceased to the Hospital or informing the police, the accused persons *allegedly* carried and abandoned him at a secluded place, where he later succumbed to his injuries, i.e. the spot where the police found the deceased. Subsequently, after conclusion of the investigation, the charge-sheet was filed before the learned Trial Court on 17.07.2025.

4. It is under these facts and circumstances, this Court has heard the learned counsel for the applicant, the complainant and learned APP for the State as also perused all the documents on record.

5. Though the applicant herein has no prior antecedents as also the charge-sheet has been filed, however, it cannot be ignored that the CCTV footage shows that the applicant was present on the spot at the time of the accident and the motorcycle has been recovered at his instance. As also that the applicant, along with the co-accused persons were instrumental in removing the body of the deceased instead of taking corrective measures of taking him to the Hospital or informing the Police. It is also relevant that the wife of the deceased has made a complainant after the arrest of the applicant about being threatened by his family members.

6. As such, this Court is not inclined to grant bail to the applicant.



Serious concerns about his influencing the witnesses, hampering with the trial and tampering with evidence may arise if granted bail.

7. Accordingly, in view of the afore-going, since no grounds for grant of regular bail are made out, the present application is dismissed.

8. Needless to say, expression of view(s) on the merits, if any, are solely for the purposes of adjudication of the present application and shall have no bearing on the overall case/ trial involved.

SAURABH BANERJEE, J

MAY 26, 2026/Ab