

Bail application no. 594/26
FIR No. 144/26
PS: Hauz Qazi
u/s : 303(2)/317(2) BNS & 106 BNSS
State vs Neeraj

04.04.2026

This is 2nd application under section 483 of BNSS for grant of regular bail moved on behalf of the applicant/accused Neeraj.

Present : Sh. Abhishek Rana, Ld. Addl. PP for the State.
Sh. Awadhesh Kumar Jha, Ld. Counsel for the applicant/
accused.
IO ASI Bhuvneshwar Singh in person.

Reply to the application filed by the IO. Copy supplied.

Arguments on the application heard.

1. The present application has been moved on behalf of the applicant/accused Neeraj s/o Krishan Lal, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") seeking grant of regular bail in FIR No. 144/2026, PS Hauz Qazi, registered under Sections 303(2)/317(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter "BNS") and Section 106 of BNSS.

2. The prosecution case, as emerges from the FIR registered on 23.02.2026 on the basis of the statement of the complainant Asif s/o Maqbool Hussain is as follows:

The complainant, a milk distributor, was unloading the milk crates when the accused on a scooty and took milk packets from his crates, filled them in a plastic sack and bag, and loaded them onto the scooty along with two crates, and tried to flee. When the complainant tried to stop him, he sped away towards Hamdard, Lal Kuan, however he was chased by the complainant on his motorcycle. While fleeing, the accused dropped the goods

and after some distance slipped along with the scooty and fell down, sustaining injuries and was caught by the complainant; a crowd gathered and started beating him but some persons intervened and rescued him. Later, ASI brought the accused and the scooty to the spot and took the case property into police possession. On checking, the scooty was found to have a fake number plate and its actual number DL8SCU3359 was found to be stolen from PS Burari, Delhi. The same was seized as evidence vide seizure memo U/S 106 BNSS and information was given to PS Burari.

3. Ld. Counsel for the applicant/accused has argued that the applicant/accused has been falsely implicated in the present FIR by the police; that the case property i.e. Amul milk packets have already been recovered and the investigation is almost complete; that the applicant/accused is the sole bread earner of his family and his wife is in an advanced stage of pregnancy with the expected date of delivery on 15.05.2026 (medical record attached).

4. Per contra, Ld. APP for the State opposed the bail application submitting that the offence committed by the accused is serious in nature. It is further submitted that the accused was caught red-handed by the complainant along with the case property, and the scooty found in his possession was also found to be stolen from PS Burari. It is further pointed out that the accused is a habitual offender and has previous involvements including conviction, and if released on bail he may commit similar offences or may influence the prosecution witnesses.

5. I have considered the submissions and perused the record.

6. From the material available on record, it is noted that the accused was apprehended red-handed by the complainant along with the case property, and the scooty recovered from his possession was also found to be a stolen vehicle. The allegations against the accused are serious in nature and

the accused is also stated to have previous criminal involvements and conviction. Considering the nature of allegations, the manner in which the offence was allegedly committed, and the criminal antecedents of the accused, this Court is not inclined to grant bail to the applicant at this stage. **Accordingly, the present bail application stands dismissed.**

Dasti order to all concerned.

(SHREYA ARORA MEHTA)
JUDGE BAIL ROSTER
ASJ/SFTC-02(CENTRAL)
THC: DELHI : 04.04.2026