

**IN THE COURT OF MS. NISHA SAHAY SAXENA
PRINCIPAL DISTRICT & SESSIONS JUDGE :
NORTH-WEST : ROHINI COURTS : DELHI.**

CNR No. DLNW01-001818-2026

SC No. 107/26

State Vs. Avinash @ Tomy etc

FIR No. 583/25

PS : Keshav Puram

U/s 109/351(3)/126(2)/3(5) BNS

(Order on interim bail application of accused Avinash @ Tomy)

29.04.2026

This is an application u/s 483 BNSS moved on behalf of applicant / accused Avinash @ Tomy for grant of interim bail for 30 days. Reply to the said application has been filed.

Arguments have been addressed by Ms. Sandeep Kaur, Ld. Addl. Public Prosecutor for the State and Sh. Ajeya Singh and Sh. Manender Kumar, Ld. counsel for the applicant / accused.

The allegations against the applicant / accused are that he along with his co-accused Sunny @ Raftaar and their third associate Jishan (not arrested) fired upon the injured, causing him gun shot injuries, with such intention or knowledge, and under such circumstances that, if they by that act had caused the death of victim, they would be guilty of murder.

Interim bail for 30 days has been sought on behalf of applicant / accused Avinash @ Tomy on the ground that his father Manglu is ill, suffering from liver related ailment and is admitted in Sanjay Gandhi Memorial Hospital. It is submitted that presence of the applicant / accused is required to take care of his ailing father, make necessary arrangements and support his

father emotionally and physically.

In his reply, IO has submitted that father of applicant / accused remained admitted in hospital from 07.04.2026 to 13.04.2026, and now he is at his home.

Mother of applicant / accused has appeared before the court on 28.04.2026, and submitted that apart from applicant / accused, she has one elder son, aged about 24 years, and a younger daughter, aged about 20 years. Her father-in-law is no more, while her mother-in-law is residing at her native place. She further submitted that her elder son is married and is living separately.

Ld. Prosecutor has opposed the bail application submitting that the allegations against the applicant / accused are grave in nature and that the complainant has specifically named the accused in the FIR and the weapon of offence i.e. pistol was recovered at the instance of accused persons.

Though copies of medical treatment of Manglu (father of applicant / accused) have been placed on record, but it is not in dispute that he has already been discharged from hospital and presently he is at his home and copy of discharge summery has been placed on record by the IO.

As per the mother of the applicant / accused, she has another son, who is elder than the applicant / accused.

Keeping in view the gravity of offence, that the material witness is yet to be examined and elder brother of the applicant / accused is present there to look after his father and make necessary arrangements, I am not inclined release the applicant / accused Avinash @ Tomy on interim bail.

Accordingly, the present application for grant of interim bail to the applicant / accused Avinash @ Tomy is dismissed.

Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the applicant / accused. As prayed a copy of this order be given dasti to Ld. counsel for applicant / accused.

Now to come up on the date already fixed i.e. 02.06.2026.

(Nisha Sahay Saxena)
Principal District & Sessions Judge (NW)
Rohini Courts, Delhi (k)