

Bail Matters 663/2026
STATE Vs. SUNNY ALIAS SUNY PASWAN
FIR No. 12167/2025
PS- (Hazrat Nizamuddin)
u/s 305(b)/317(2) BNS

16.03.2026

Present application has been taken up in terms of Order No. 10 dated 06.03.2026 passed by Ld. Principal District and Sessions Judge, SED, Saket Courts, New Delhi. (Roster)

This is an application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023, filed on behalf of the applicant/accused Sunny @ Sunny Paswan for grant of regular bail.

Present: Sh. S. K. Kain, Ld. Addl. PP for the State.

Ms. Anita Singh, Ld. Counsel for the
applicant/accused.

IO/HC Chhatarpal Singh is present.

1. Vide this order, I shall adjudicate upon the regular bail application filed on behalf of the applicant/accused Sunny @ Sunny Paswan. Arguments were heard at length, the gist whereof is discussed hereunder.

2. Ld. Counsel for the applicant/accused submitted that the applicant/accused has been languishing in JC since 04.02.2026 and that he has been falsely implicated in the present matter as he is innocent. Ld. Counsel further submitted that the allegations levelled against the applicant/accused are totally false and fabricated. Ld. Counsel further submitted that as per the IO's report, the applicant/accused was previously found involved in certain cases, however, in three cases he has already been

acquitted by the courts concerned which clearly shows that those cases cannot be treated as adverse antecedents and that in the remaining three cases, the applicant/accused was found convicted, however, the said convictions are unrelated to the present case and he has already taken appropriate legal remedies as per law. Ld. Counsel further submitted that it is a settled law that mere previous involvement in other cases cannot be the sole ground to deny bail when the facts of the present case do not justify continued custody. Ld. Counsel further submitted that the alleged offences u/s 305(2)/317(2) BNS are triable by the Ld. Magistrate and that the trial is likely to take considerable time. Ld. Counsel further submitted that investigation in the present matter has already been completed and nothing remains to be recovered from him, and therefore, no further custodial interrogation of the applicant/accused is required. Ld. Counsel thus, submitted that applicant/accused ought to be granted bail and he is ready to abide by all the terms and conditions imposed upon him while granting the bail.

3. *Per contra* Ld Addl. PP for the State along with IO vehemently opposed the bail application citing the gravity of offences as one of the main grounds. Ld. Addl. PP further submitted that the applicant/accused is also having previous involvements in other criminal cases. Ld. Addl. PP thus, submitted that bail ought not to be granted to accused.

4. I have heard the arguments addressed by the opposite parties and also perused the record.

5. It is settled law that the Court, while considering the application for grant of bail, has to keep certain factors in mind, such as, whether there is a *prima facie* case or reasonable ground to believe that the accused has committed the offence; circumstances which are peculiar to the accused; likelihood of the offence being repeated; the nature and gravity of the accusation; severity of the punishment, the danger of the accused absconding or fleeing if released on bail; reasonable apprehension of the witnesses being threatened; etc. However, at the same time, period of incarceration is also a relevant factor that is to be considered.

6. During the course of arguments, it was brought to the fore that in the present matter, investigation has already been completed in the matter. Further, as per the report, stolen case property i.e. motorcycle, no. DL 3SFR 8106 of the case has already been recovered from the applicant/accused. Accused is in JC since 04.02.2026. The custodial interrogation of accused is not required for the further purpose of investigation. Nothing remains to be recovered from the applicant/accused.

7. In the aforementioned circumstances, taking into account the submissions and the fact that investigation is complete, stolen case property has already been recovered and no further recovery is to be effected from the applicant/accused, and thus, no further custodial interrogation of accused is required, I deem it fit to grant regular bail to accused Sunny @ Sunny Paswan, on his furnishing personal bond with surety bond of Rs. 20,000/- with one surety in the like amount to the satisfaction of

Ld. JMFC/Link JMFC/Duty JMFC/Court concerned, subject to following conditions:

i) The applicant/accused shall not try to contact or influence the complainant/victim in any manner;

ii) He shall not tamper with evidence in any manner and shall regularly appear before the Court on each and every date of hearing; and

iii) He shall also furnish his mobile phone and mobile phone of his surety to the IO and shall keep his mobile phone operational round the clock and shall share his Google PIN to IO.

8. Needless to say, the above-mentioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the regular bail application stands disposed of.

9. In compliance of **Sanjay Singh Vs. State (Govt of N.C.T of Delhi) Writ Petition Criminal 974/2022**, copy of this order be sent to concerned Jail Superintendent to convey the order to inmate.

10. Order be given dasti.

(Dr. TARUN SAHRAWAT)
ASJ-04 + Spl. Judge (NDPS),
South East District, Saket Court,
New Delhi /16.03.2026