

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE
WEST DISTRICT : TIS HAZARI COURTS : DELHI**

**SC No. 353/2026
FIR No. 801/2025
PS : Ranhola
State v. Arun
U/s. 326(g) BNS**

21.07.2026

Present : Sh. Atul K. Shrivastava, Ld. Addl. PP for the State.
Ms. Deepali, Ld. counsel for the applicant/accused.

Arguments heard.

ORDER

1. Vide this order, I shall dispose of the application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (in short, 'BNSS') filed on behalf of applicant/accused Arun seeking grant of bail.
2. As per the version of the prosecution on 12.12.2025, IO/ASI Virender Malik received the video GD No. 18A dated 12.12.2025 regarding fire in the warehouse. On 13.12.2025, the complainant Satpal came to the police station and recorded his statement to the IO regarding fire in his warehouse for plastic goods, which he has given on rent to Bhisampitamah. On the night of 11.12.2025 at around 2:00 am, a fire broke out in the warehouse and all the plastic material kept in the warehouse was burnt to ashes and the

building suffered a lot of damage. He checked the CCTV cameras installed nearby on his own and started investigation and found out that in the CCTV camera, a person was seen setting fire to the garbage lying outside the warehouse and setting fire inside the shutter. On his own inquiry, he found out that the name and address of that person as Arun, who was responsible for the fire in their warehouse and causing damage to the goods and the building. On the basis of the statement, a case FIR under Section 326 (g) BNS was registered and IO conducted the investigation and on interrogation, the accused stated that he was the one who had set the fire. IO arrested the accused, recorded the statement of witnesses and sent him to judicial custody.

3. Reply filed by SI Yogesh Kumar reiterating the case of the prosecution and submitting that earlier two bail applications of the applicant/accused were dismissed and this is his third bail application. He has also opposed the bail application submitting that if he is released on bail, he may engage in other illegal activities and may threaten the witnesses in as much as the family members of the applicant/accused did not control over him.
4. Arguments were addressed by Ms. Deepali, Ld. counsel for accused/applicant and Sh.Atul K. Shrivastava, Ld. Addl. PP for the State.

5. It was submitted by the Ld. counsel for the applicant/accused that the accused Arun was arrested on 14.12.2025 and he has been in judicial custody since then. The applicant/accused has been falsely implicated in the present case as the case set up by the prosecution completely lacks the fundamental element of *Mens Rea* required to attract Section 326(g) BNS. It is further submitted that the alleged incident was a momentary act of clean-up, which had gone wrong, completely devoid of any criminal intent to destroy or burn property. It is further submitted that the IO has completed the investigation, gathered the CCTV video footage and filed the charge sheet in the Court. The applicant/accused is aged 28 years having old parents and only bread earner of his family. The applicant/accused maintains a completely clean past record, lives peacefully as a tenant and supports a dependent family residing permanently at Bahraich, U. P. Ld. counsel for the applicant/accused relied upon the judgments in ***Sanjay Chandra V v. CBI, MANU/SC/1375/2011*** and ***Dataram Singh v. State of Uttar Pradesh & Ors., MANU/SC/0085/2018***.

6. The Ld. APP for the State has opposed the grant of bail. He has submitted that the allegations against the applicant/accused are very grave. He has admitted commission of offence and is liable to be punished for the alleged offence. The applicant/accused is thus

not entitled to the relief claimed.

7. The applicant/accused is in judicial custody since 14.12.2025 i.e. for the last seven months. No purpose would be served by keeping the accused in custody any longer as investigation has already been completed and no recovery is to be affected from him. This Court does not find any plausible ground to deny the relief as sought herein.
8. Considering the facts and circumstances of the case and the judgments relied upon by the Ld. counsel for the applicant/accused, this Court deems it a fit case to grant bail to the accused/applicant Arun. Accordingly, the application for bail is allowed and the applicant/accused Arun is admitted to bail, subject to his furnishing personal bond in the sum of Rs.20,000/- with one surety in like amount to the satisfaction of this Court and also subject to the following conditions:
 - (a) that the applicant/accused shall attend the trial in accordance with the conditions of the bond executed;
 - (b) that the applicant/accused shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;
 - (c) that the applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with

the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

(d) that the applicant/accused shall inform the change of address, if any, to the Court during the trial.

The application stands disposed of accordingly.

Copy of this order be provided *dasti* to the Ld. counsel for the applicant/accused.

Copy of this order be also sent to concerned Jail Superintendent for information.

**Announced in the open Court
on 21st day of July, 2026**

**(Dr. Vijay Kumar Dahiya)
Principal District & Sessions Judge (West)
Tis Hazari/Delhi**