

**IN THE COURT OF SH. VINEET KUMAR
ASJ-02 (WEST), TIS HAZARI COURTS, DELHI**

Bail application No.402/2026, 403/2026 & 404/2026

FIR No.137/2025

PS Patel Nagar

State Vs. Gaurav & Ors.(Appl. *Kishore, Vinit and Nitin*)

u/s 309(4)/309(6)/3(5)/127(2)/112/351(3) BNS

15.04.2026

COMMON ORDER

Present : Ms. Suchitra Singh Chauhan, Ld. Addl. PP for the State.

Sh. Amit Kumar Tyagi, Ld. Counsel for the accused persons through VC.

1. By virtue of this order, the applications u/s 483 BNSS moved on behalf of applicants/accused persons *Kishore, Vinit and Nitin* seeking regular bail, shall be disposed of.

2. Reply to the bail applications were filed, by virtue of which, the applications have been strongly opposed.

3. Ld. Counsel for applicants/accused persons has submitted that the bail applications pertain to a case pending before the concerned trial court, wherein charges have already been framed against the accused Gaurav, and the matter is now fixed for Prosecution Evidence; that accused persons/applicants are languishing in JC since 17.02.2026; that accused persons have been falsely implicated in the present case based on the concocted version of the complainant as they have no connection with the alleged incident; that no further custodial interrogation is required as no purpose has been fulfilled despite taking their PC remand by the police officials; that there is no CCTV footage of the alleged incident; that applicants/accused persons neither have prior involvement in any other criminal case nor have ever been convicted by any court of law; that there is no material evidence on record to prove identity of applicants/accused persons or link them with the alleged offence; that FIR is based on false, fabricated, and baseless allegations, and no recovery was made

from the possession of applicants or at their instances and in case anything has been shown to be recovered against them, then the same has been planted. It is further asserted that accused persons are the sole breadwinner of their families, bearing their responsibilities; that co-accused Gaurav has been granted bail by the present court vide order dt. 03.07.2025 and accused Pradeep has been granted bail by the Ld. Trial court concerned on 07.07.2025. Thus, it is prayed that appellants may be released on regular bail in the interest of justice.

4. Per contra, Ld. Addl.PP for the State has opposed the present application by referring to the serious nature of allegations against the applicants/accused persons as well as material available on record in the present case. Also, the application is opposed by Ld. Addl. PP for the state by stating that it is just the beginning of the trial and charge is yet to be framed against the applicants and thereafter, material witnesses will be examined; that NBWs were issued against the applicants, however, the same remained unexecuted and accordingly process u/s 82 Cr.P.C was initiated, however, the same was stayed by the Ld. Trial only on the pretext that the parties have settled the matter. But vide order of Hon'ble High Court of Delhi dt. 19.08.2025, quashing petition moved was dismissed as withdrawn; that the TIP of the applicants was conducted and the complainant has correctly identified the accused persons and accordingly, section of Dacoity was added. Thus, a prayer for dismissal of the bail applications has been made to prevent the accused persons/applicants from committing any further offence and also to prevent likelihood of any threat/intimidation to the complainant/material witnesses.

5. Arguments were heard on behalf of all the parties. Record was perused meticulously.

6. It is the case of the prosecution that the present case was registered on the complaint of Amit Dikshit, who stated that while searching for party speakers, he came in contact with certain persons through a mobile application and was called to a flat in West Patel Nagar, Delhi. Upon reaching the location, he was wrongfully confined by the accused persons along with their associates, who threatened him, forcibly recorded his nude video, and extorted money from him by transferring ₹2,55,000 from his bank account and taking cash of ₹3,500–4,000. The complainant was kept confined for about five hours. During investigation, the complainant was medically examined and his mobile phone was seized. One accused, Gaurav, was arrested, who disclosed involvement of co-accused persons namely Kishore, Vinit, Pardeep, and Nitin. He further revealed that they operated as a gang, luring victims through the Grindr application, recording objectionable videos, and extorting money. The accused's mobile phone containing the complainant's video was seized. Efforts were made to trace other accused persons, and raids were conducted. The complainant's statement under Section 183 BNSS was recorded before the court, wherein he supported the allegations. The crime scene was inspected and exhibits were sent for forensic examination. Bank records revealed transfer of money to an account linked to one Saurab, which was subsequently frozen. Further investigation revealed that the complainant had initially named OLX due to social pressure but later clarified that contact was established through Grindr. Notices were issued to concerned entities for account details. Despite multiple raids, some accused remained absconding, leading to issuance of NBWs and initiation of proceedings under relevant provisions of law. Subsequently, accused Pardeep was arrested and identified by the complainant

during TIP. Later, co-accused Vinit, Nitin, and Kishore surrendered before the court, were formally arrested, and correctly identified in TIP proceedings. In view of the collective involvement of multiple accused in committing the offence, Section relating to dacoity was added in the present case.

7. At the outset, the allegations in the present case are serious in nature, whereby the applicants/accused persons a/w co-accused persons in furtherance of their common intention are stated to have wrongfully confined the complainant and have committed an offence of dacoity. As far as specific role attributed to the applicants/accused persons are concerned, they are stated to have rented an accommodation and upon luring the complainant on a Social Media site, took him to the said accommodation, locked him in the flat and forcibly stripped him and recorded his nude video and extorted money in lieu of not making his video viral. However, this court cannot lose sight of the fact that recovery has already been effected and investigation qua them has already been completed, upon which the supplementary charge sheet is stated to be ready and as per the reply of the IO, the same is likely to be filed in a day or two before the Ld. JMFC concerned, which makes it clear that trial would take substantial time to culminate qua said accused persons. Also, co-accused Gaurav, who more or less has the same role, has already been granted bail by this court vide order dt. 03.07.2025. Further, even if the allegations are presumed to be correct on the face of it at this stage, then too, the same are a matter of trial and veracity of the same can only be ascertained upon evidence being led.

Moreover, applicant/accused have remained in JC since 17.02.2026 i.e. almost around 2 months, therefore, in the circumstances stated above, no fruitful purpose would be served

by keeping the applicants/accused persons in further custody, more so, as the present matter is stated to have been settled between them and the complainant, in pursuance of which, the robbed amount of Rs.55,000/- is stated to have already been handed over to the complainant. Last but not the least, apprehension, if any on behalf of prosecution, may be allayed by imposing strict conditions.

8. In view of above discussion, applicants/accused persons ***Kishore, Vinit and Nitin*** are admitted to bail on furnishing bail bond in the sum of Rs.30,000/- with one surety of like amount each to the satisfaction of Ld. JMFC concerned/Duty Ld. JMFC/Ld. CJM subject to the following conditions:

1. that applicants shall appear before the concerned court on each and every date of hearing without fail.

2. that applicants shall neither contact the prosecution witnesses nor threaten/influence them in any manner whatsoever nor tamper with the evidence of the present case.

3. that accused persons/sureties shall provide permanent address as well as phone number to the IO and shall intimate this court as well as to IO, by way of an affidavit, regarding change of their residential address, if any.

4. that applicants shall not commit any similar offence.

9. It is clarified that in case the applicants are found violating any of the above conditions, then the same shall be a ground for cancellation of bail.

10. Nothing stated hereinabove shall tantamount to the expression of any opinion on the merits of the case.

Applications are disposed of accordingly.

VINEET KUMAR
ASJ-02/ THC/West/Delhi/15.04.2026