

13.08.2026

Present: Ms. Kamaljeet Kaur, Ld. Addl. PP for the State.
Sh. Sachin Deswal, Ld. Counsel for applicant/
accused Neeraj Dahiya.

IA No. 5/2026 (Application seeking regular bail on behalf of applicant/accused Neeraj Dahiya)

1. Today, present application is listed for orders.
2. It is submitted by Ld. Counsel that applicant has not filed any other application seeking similar relief before any other Court of law.
3. This is an application under Section 483 BNSS seeking regular bail on behalf of applicant/accused Neeraj Dahiya. Applicant is an innocent person and has been falsely implicated. Applicant is in JC since 16.05.2024. It is further submitted that charge-sheet has already been filed and charge has also been framed in present case. It is further submitted that prosecution has cited 33 witnesses in total and till date only 2 witnesses have been examined so far. It is further submitted that applicant has clean antecedents. It is further submitted that there is no eye witness of kidnapping and murder and whole case is based upon circumstantial evidence. It is further submitted that star witness Lalit had already been examined as PW2 who turned hostile and also prove the plea of alibi of applicant. It is further submitted that PW1 Jyoti had not uttered a single word against the applicant.
4. It is further submitted that other public witness Deepak who is brother of deceased had not seen the alleged incident as per charge-sheet. It is further submitted that apart from above 3 public

witnesses, remaining witnesses are police officials. It is further submitted that custody of applicant is not required for investigation as material witness(s) has already been examined. It is further submitted that nothing has been recovered from the possession of applicant. It is further submitted that disclosure statement of co-accused persons cannot be used against applicant. It is further submitted that no useful purpose will be served by keeping the applicant in jail for indefinite period. Applicant undertakes to abide by any condition which may be imposed by this Court. Therefore, applicant may be granted regular bail.

5. Ld. Counsel for applicant has also relied upon judgment i.e. Kamal Kishore v. State (1997) 2 Crimes 169.

6. Reply filed by IO opposing the application.

7. Ld. Addl. PP for State has opposed the application. The offence alleged is serious in nature. It is therefore prayed that the present application be dismissed.

8. I have carefully considered the submissions advanced on behalf of both sides and have perused the available record.

9. As per charge-sheet, allegations against the applicant are that he along with other co-accused persons Seema Hudda and Neeraj Sehrawat hatched a criminal conspiracy to kidnap and commit murder of deceased Ravi @ Sonu and in pursuance to that on intervening night of 05-06.03.2024, they all in furtherance of their common intention kidnapped Ravi (since deceased) from his residence in Najafgarh, Delhi. Co-accused Neeraj Sehrawat brought Ravi in red colour swift car in drunken condition, while applicant was travelling in black colour Tata Nexon Car and met co-accused Neeraj Sehrawat on highway, transferred petrol and thereafter took Ravi in Swift Car to an isolated place near Ganga Nahar, Bagpat/Meerut, UP, where, applicant grabbed neck of Ravi to pull him down and co-accused Neeraj Sehrawat fired three gun shots from country-made pistol

(which was provided by other co-accused Anubhav Malik and Ankit) on forehead and neck and caused death of Ravi. Thereafter, applicant along with other co-accused persons caused disappearance of dead body and concealed the evidence of offence by manipulating the location of deceased's mobile phone.

10. Further perusal of the record reveals that the prosecution has cited as many as 33 witnesses, out of which only two witnesses have been examined till date. The sole material/eye-witness, namely Lalit, has already been examined and has not deposed anything incriminating against the applicant. The other public witnesses have also not attributed any role to the applicant in their statements recorded under Section 161 Cr.P.C. The applicant has already undergone incarceration for more than two years. The trial is likely to take a considerable period of time. In these circumstances, no useful purpose would be served by continuing the detention of the applicant for an indefinite period.

11. Accordingly, without expressing any opinion on the merits of the case, the **applicant Neeraj Dahiya is held entitled to the concession of regular bail**, subject to furnishing of personal bonds in the sum of Rs. 15,000/- with one surety in the likewise amount, to the satisfaction of the concerned Court/Ld. Duty JMFC concerned subject to the following conditions:-

- (I) The applicant shall appear before the Trial Court on each and every date of hearing and shall not seek unnecessary adjournments.
- (II) The applicant shall not tamper with the prosecution evidence or attempt to influence any prosecution witness in any manner whatsoever.
- (III) The applicant shall furnish his mobile number, residential address and any change thereof to the Trial Court and shall keep the mobile number operational at all times during the pendency of the trial.

(IV) The applicant shall not leave the territory of India without prior permission of the Ld. Trial Court.

(V) In case the applicant is found involved in any act intended to delay the trial, influence witnesses, tamper with evidence, or evade the process of law, the prosecution shall be at liberty to seek cancellation of bail in accordance with law.

12. Application stands disposed of.

13. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case. The observations made are solely for the purpose of deciding the present bail application.

14. Copy of this order be given dasti and be also sent to the concerned Jail Superintendent for information of the accused.

(Shilpi M Jain)
ASJ-06 (South-West)
Dwarka Courts/13.08.2026 (sk)