

IA No. 01/2026 dated 14.03.2026
in SC No. 90/2026
State Vs. Arshdeep @ Ankit @ Nikki
FIR No. 233/2025
U/s 221/132/109(1)/3(5) BNS
& 25/27 Arms Act
PS Special Cell

17.04.2026

Present: Sh. Mukul Kumar, Ld. Addl. PP for the State.
Sh. Kartik Kumar and Sh. Ankit Dhankar, Ld. Counsels for the
applicant/accused.
IO SI Rajesh (NP).

A) BRIEF

1. The present application has been filed under Section 483 BNSS seeking regular bail in FIR No. 233/2025 dated 30.08.2025 registered at P.S. Special Cell, SR, Delhi under Sections 221/132/109(1)/3(5) BNS and 25/27/54/59 Arms Act.
2. Reply to the bail application already filed by the IO. Copy already supplied.
3. The case of the prosecution, in brief, is that the present FIR was registered on the complaint of SI Manish Kumar regarding activities of dreaded gangster Kapil Sangwan @ Nandu gang. It is alleged that the applicant/accused Arshdeep @ Ankit @ Nikki, along with co-accused Naveen, was an active member of an armed criminal gang involved in gang war, attempt to murder, extortion and other serious offences.
4. It is further alleged that on the intervening night of 29/30.08.2025, during a raid conducted at Sector-28, Rohini, Delhi, the accused

persons opened fire upon the raiding police party with illegal pistols, resulting in exchange of fire. Both accused persons sustained bullet injuries.

5. From the possession of the accused persons, one .30 bore foreign-made pistol marked “Made as China Special Modified Pistol Cal .30 Bore” with live cartridges and one Glock 9 mm pistol with magazine and live cartridges, along with multiple fired and live cartridges, were recovered and seized. The FSL report is awaited and supplementary charge sheet is to be filed upon receipt of sanction under Section 39 Arms Act.
6. Investigation has revealed that the present case forms part of a larger organized criminal conspiracy involving gangster Kapil Sangwan @ Nandu and his associates operating from abroad. It has also come on record that the accused persons were involved in another FIR No. 346/2025, P.S. Chhawla, relating to firing at the residence of a businessman for extortion.
7. The charge sheet has been filed; however, further investigation is stated to be continuing for FSL reports and sanction.

B) ARGUMENTS OF LD. COUNSEL FOR THE ACCUSED

1. Ld. Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is argued that the entire prosecution story is concocted and based solely on the version of the police officials, without any independent corroboration or public witnesses.
2. It is further submitted that there is no credible scientific evidence on record to connect the applicant with the alleged firing. No GSR report or ballistic evidence has been placed to establish that the

applicant fired any weapon, nor is there any conclusive material linking the alleged recovered firearm to the applicant.

3. Ld. Counsel contends that no police official sustained any injury, thereby falsifying the allegation of attempt to murder or firing with intent to kill. It is also argued that the alleged recovery was effected without independent witnesses, casting doubt on its genuineness.
4. It is submitted that the applicant is 20 years of age, has clean antecedents, and has been in judicial custody since 30.08.2025. The investigation is complete and charge sheet has been filed; therefore, further custodial interrogation is not required.
5. It is further argued that the applicant has deep roots in society, is not a flight risk, and undertakes to abide by all conditions imposed by the Court. Reliance has been placed upon judgments including **Gurbaksh Singh Sibbia v. State of Punjab**, **P. Chidambaram v. Directorate of Enforcement**, and **Prabhakar Tiwari v. State of U.P.**, to contend that bail is the rule and jail is an exception, and that gravity alone cannot be a ground to deny bail.

C) ARGUMENTS ON BEHALF OF STATE

1. Ld. Addl. PP for the State strongly opposes the bail application and submits that the applicant is a key member of an organized criminal gang headed by notorious gangster Kapil Sangwan @ Nandu.
2. It is submitted that the applicant was apprehended during a raid and had actively opened fire upon the police party with illegal weapons, demonstrating a complete disregard for law and human life. The role attributed to the applicant is that of a principal offender who was armed and participated in firing on police personnel.

3. It is further submitted that sophisticated foreign-made illegal weapons including a Glock 9 mm pistol and a .30 bore pistol along with live and fired cartridges were recovered from the possession of the accused persons.
4. The prosecution contends that the present case is part of a larger organized crime network involving extortion and gang wars, and the accused has also been found involved in another FIR No. 346/2025 of PS Chhawla.
5. It is argued that the offences are serious and non-bailable, carrying severe punishment, and the gravity of the offence coupled with the manner of its commission militates against grant of bail.
6. Ld. Addl. PP further submits that there is a grave apprehension that if released on bail, the accused may influence or intimidate witnesses, tamper with evidence, or rejoin the gang and indulge in similar criminal activities, thereby posing a threat to public order and safety.
7. It is also submitted that FSL report is awaited and supplementary charge sheet is yet to be filed, and therefore, the investigation is not fully complete.

D) OBSERVATIONS

1. I have heard the submissions made by Ld. Counsel for the applicant and Ld. Addl. PP for the State and have perused the record.
2. At the outset, the allegations against the applicant are grave, possession and use of illegal sophisticated firearms, and firing upon police officials during a raid. The role attributed to the applicant is specific and direct, namely, that he was armed and opened fire on the police party.

3. The recovery of illegal firearms, including a Glock pistol and a .30 bore pistol along with live cartridges, from the possession of the accused, prima facie connects the applicant with the offence. The fact that both accused sustained bullet injuries further lends support to the prosecution version of exchange of fire.
4. The contention of the defence regarding absence of independent witnesses and lack of scientific evidence such as GSR and ballistic reports cannot be conclusively appreciated at this stage. The FSL report is admittedly awaited and forms part of ongoing investigation. At the stage of bail, a meticulous examination of evidence is neither warranted nor permissible.
5. The argument that no police personnel sustained injury does not dilute the seriousness of the allegation of firing upon police officials, particularly when the act itself demonstrates intent and audacity to attack law enforcement authorities.
6. The material on record also indicates involvement of the applicant in a larger criminal conspiracy linked to an organized gang engaged in extortion and violent crimes. The existence of another FIR against the applicant further weighs against him at this stage.
7. The judgments relied upon by Ld. Counsel for the applicant lay down settled principles that bail is the rule and jail is an exception. However, it is equally well settled that in cases involving serious offences, organized crime, and threat to public safety, the Court must balance individual liberty with societal interest. The present case, in the considered view of this Court, falls within the category where societal interest and the need to maintain public order outweigh the claim of liberty at this stage.

8. Further, the apprehension expressed by the prosecution regarding influencing witnesses and rejoining criminal activities cannot be said to be unfounded, particularly in light of the alleged gang affiliation.
9. Considering the totality of circumstances, the gravity of the offence, the specific role attributed to the applicant, the nature of evidence, and the stage of investigation, this Court is not inclined to grant bail.

E) FINAL ORDER

1. In view of the foregoing discussion and considering the facts and circumstances of the case, this Court finds no merit in the present bail application.
2. Accordingly, the bail application filed on behalf of the applicant/accused Arshdeep @ Ankit @ Nikki is dismissed.
3. Nothing stated herein shall be construed as an expression on the merits of the case.
4. **The present application is disposed off accordingly.**
5. **Copy of this order be given dasti to Ld. Counsel for applicants/accused person and in compliance of Sanjay Singh Vs. State (Govt. of NCT of Delhi), Writ Petition Criminal no. 974/22, copy of this order be also sent to the concerned Jail Superintendent to convey the order to the inmate.**

(Saurabh Partap Singh Laler)
ASJ-05, New Delhi District
Patiala House Courts, New Delhi
17.04.2026