

**IN THE COURT OF SH. PRASHANT KUMAR,
ASJ(ELECTRICITY), NORTH-WEST, ROHINI COURTS, DELHI
Bail Matters 138/2026
NIRBHAYA BASOYA Vs. STATE
FIR no.625/2025
PS Keshav Puram
under Section 109(2)/115(2)/126(2)/351(2)/3(5) of BNS**

17/01/2026

Present: **Mr. Girish Giri, Ld. Additional PP for State.**
 Mr. Rakesh Kaushik alongwith Ms. Shweta S. Kumar,
 Ld. Counsel(s) for the applicant/ accused.
 IO/ SI Vipin Tevatiya in person from PS Keshav Puram.
 Complainant Naman Sharma is present through V.C.

1. By way of this application u/s 483 of BNSS, regular bail has been sought by the applicant/accused namely **Nirbhaya Basoya**.

2. Reply to the bail application has been filed on behalf of the IO. Take on record. Copy of the same already supplied to Ld. Counsel for applicant/ accused.

Allegations :

3. In brief, facts of the case are that on the intervening night of 21/22.11.2025, at around 1:15AM, he was returning home in his black Swift car, which was driven by his friend Parveen Nagar and when they reached near the petrol pump in front of Hathoda Ram Park, Praveen informed him that the fuel in the vehicle was low and suggested getting petrol from the pump. The complainant lowered the window to check whether any staff was present at the petrol pump and noticed a few boys exiting the petrol pump on three scooters and one of them allegedly said that the complainant was the person they were looking for and instructed the others to catch him. On hearing this, Praveen became nervous and slightly reversed the vehicle. Meanwhile, 2-3 boys got off their scooters and came in front of the car and told the complainant to step out saying they needed to talk to him. On Parveen's advices, the complainant exited the car, after which the boys caught hold of him, started pulling him,

and allegedly said that he should be taken to the side of the petrol pump where there were no cameras and that he would be beaten there. The person saying these words was Nirbhay Basoya, whom the complainant already knew, and that Kartik Goyal, Kanishk Khari and some others were accompanying him. He added that Nirbhay instructed Kartik to bring some “item” kept in the scooter. Out of fear, the complainant tried to run, but Nirbhay allegedly chased him, threw him to the ground, and began beating him. He stated that Kartik Goyal and Kanishk Khari also joined in the assault and Kartik allegedly hit him with an iron pipe lying at the petrol pump and one of his companions who was present ran away after being beaten, while Parveen was trying to intervene. The complainant said that when he attempted to get back into his car out of fear, the boys again dragged him out and assaulted him. The complainant dialed at 112 and after he made the call, boys allegedly threatened him, saying that he had been saved this time but would not be spared the next time. Medical examination of the complainant was done at Deep Chand Bandhu Hospital. Due to fear and anxiety, he could not give his statement earlier and on 26.11.2025, he appeared before the police station for recording of his statement. Hence, the present matter.

Submissions by Ld. Counsel for the applicant/ accused :

4. It is submitted by the Ld. Counsel for the applicant/ accused that the applicant/ accused has been falsely implicated in the instant matter. Co- accused namely Kartik Goel has already been granted bail vide order dated 15.01.2026. It is submitted that the applicant/accused was arrested on 28/11/2025 and since then, he is in judicial custody. It is further submitted on behalf of the applicant/ accused that the present matter has been compromised between the parties amicably and as per the reply of the IO, the investigation is almost complete in this case. Hence, the applicant/accused is not required for any kind of further

judicial custody. The injury has been opined by the doctor as simple in nature and the alleged iron pipe has already been recovered.

It is further submitted that the complainant/injured, who is an advocate and present through V.C. has submitted that matter has been amicably settled and parties are willing to approach the Hon'ble High court of Delhi for quashing of FIR. Complainant has no objection, if the bail is granted to the applicant/accused. It is further submitted that the applicant/accused is ready and willing to abide by any terms and conditions as deposed by the Court.

It is prayed that the applicant / accused may be granted bail.

Submissions by Ld. Addl. PP for the State assisted by the IO :

5. On the other hand, ld. Addl. PP for the State assisted by the IO has submitted that settlement talks are going in between the parties and they are willing to approach the Hon'ble High Court of Delhi.

Complainant is present thorough V.C. and has confirmed the fact that the matter has been settled amicably without any coercive and pressure. However, Ld. Addl. PP for State submits that the offence is serious in nature and condition may be imposed upon the applicant/accused not to create any hindrance in the investigation. He further submits that investigation is almost complete and charge sheet is ready to be filed. It is prayed that the present application be dismissed.

6. Arguments heard. Record perused.

7. It is a matter of record that co-accused Kartik Goel has already been granted bail vide order dated 15.01.2026 in which similar facts and circumstances as mentioned above has been stated. Complainant is also present through V.C. and IO is also present in the

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Court and they have acknowledged this fact. Neither the complainant nor the IO has stated that the complainant is under any threat or pressure from the side of the accused persons. Nature of injury has been opined as simple. Keeping in view the overall facts and circumstances, investigation is almost complete, the injury is simple in nature and the party with other accused person, applicant/accused is admitted to bail on his furnishing of personal bond and surety bond in the sum of Rs.50,000/- each **with one surety in the like amount to the satisfaction of Ld. JMFC/Ld. Link JMFC**, subject to the following conditions:-

(1)The applicant/accused shall not threaten the complainant and shall not tamper with the evidence in any manner.

(2) The applicant/accused is directed to furnish his address, mobile number, in case of change of address and mobile number.

(3) Applicant/accused shall not leave the country without prior permission from the court concerned.

8. It is clarified that nothing mentioned herein shall tantamount to expression of opinion on the merits of the case.

Application stands disposed of.

At request, copy of this Order be given dasti.

(PRASHANT KUMAR)
ASJ (Electricity)/(N-W)
Rohini Courts, Delhi/17/01/2026