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**Vikas vs the Govt of Nct New Delhi Through Sho P S Burari**

**Vikas vs the Govt of Nct New Delhi Through Sho P S Burari**

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**Court** : Delhi Orders

**Decided On :** Mar-30-2026

**Judge** : Hon'Ble Mr. Justice Prateek Jalan

**Appeal No.** : BAIL APPLN./204/2026

**Appellant** : VIKAS

**Respondent** : The Govt of Nct New Delhi Through Sho P S Burari

**Advocate for Pet/Ap.** : Mr. Randheer Singh, Ms. Jaya Shakya, Mr. Yudhvir Singh Chauhan

**Judgement** :

$~9 to11 * IN THE HIGH COURT OF DELHI AT NEW DELHI + BAIL APPLN. 204/2026 VIKAS .....Petitioner Through: Mr. Randheer Singh, Ms. Jaya Shakya, Advs.

versus

THE GOVT OF NCT NEW DELHI THROUGH SHO P S BURARI .....Respondent Through: Mr. Yudhvir Singh Chauhan, APP SI Vikash Fageria, PS Burari

+ BAIL APPLN. 212/2026 KRISHNA ..... Petitioner Through: Mr. Randheer Singh, Ms. Jaya Shakya, Advs.

versus

STATE GOVT OF NCT NEW DELHI .....Respondent Through: Mr. Yudhvir Singh Chauhan, APP SI Vikash Fageria, PS Burari

+ BAIL APPLN. 246/2026 AVINASH ..... Petitioner Through: Mr. Randheer Singh, Ms. Jaya Shakya, Advs.

versus

STATE GOVT OF NCT NEW DELHI THROUGH SHO P S BURARI .....Respondent Through: Mr. Yudhvir Singh Chauhan, APP SI Vikash Fageria, PS Burari

BAIL APPLN. 204/2026 Page 1 of 6 This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 01/04/2026 at 14:28:35 CORAM: HONBLE MR. JUSTICE PRATEEK JALAN ORDER % 30.03.2026 1. By way of these applications under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [BNSS], the applicants seek regular bail in connection with FIR No. 0287/2025, dated 21.04.2025, registered at Police Station Burari for offences punishable under Sections 309(4), 309(6), 311, and 3(5) of the Bharatiya Nyaya Sanhita, 2023 [BNS]. A chargesheet has since been filed in the matter, upon which a charge under Section 317(2) of BNS was also framed against the applicants. 2. I have heard Mr. Randheer Singh, learned counsel for the applicants, and Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor. 3. By orders dated 19.01.2026, passed in BAIL APPLN. 204/2026 and BAIL APPLN. 212/2026, and 20.01.2026 in BAIL APPLN. 246/2026, the Investigating Officer was directed to serve notice upon the complainant as well. 4. Mr. Chauhan has tendered status reports dated 10.03.2026 in each of the matters, which record the service of notice upon the complainant. The Investigating Officer confirms that the notice was duly served; however, there is no appearance on behalf of the complainant. 5. According to the prosecution case, as set out in the status report, the complainant is a part-time cab driver. It is alleged that on 21.04.2025, at approximately 03:00 A.M., he was present at Burari Mod in his cab bearing registration number DL-1ZD-4117 when three unknown

BAIL APPLN. 204/2026 Page 2 of 6 This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 01/04/2026 at 14:28:35 individuals attempted to rob him of his mobile phone. The complainant resisted, and during the ensuing scuffle, he was assaulted by all three assailants, who attempted to stab him with a knife, causing a stab injury to his left hand. 6. The complainant then pursued the assailants in his vehicle and, with the assistance of a few passersby, managed to apprehend one of the applicants, namely Vikas [applicant in BAIL APPLN. 204/2026], while the remaining two accused succeeded in escaping. The motorcycle used by the accused was also taken into police custody through a seizure memo. 7. It is further stated that the weapon of offence, being the knife, was recovered at the instance of Krishna [applicant in BAIL APPLN. 212/2026] from his residence, and the stolen mobile phone of the complainant was recovered from the possession of Avinash [applicant in BAIL APPLN. 246/2026] also from his residence. A Medico-Legal Case [MLC] was subsequently conducted on the complainant, wherein the injury sustained was opined to be simple in nature. 8. The applicants in BAIL APPLN. 204/2026 and BAIL APPLN. 212/2026 were arrested on 21.04.2025, whereas the applicant in BAIL APPLN. 246/2026 was arrested on 22.04.2025. 9. Mr. Singh submits that the complainant, who is the only material witness, has already been examined, and that the applicants have been in custody for nearly one year. He further draws my attention to a document dated 17.11.2025, purportedly in the handwriting of the complainant, in which the complainant states that he has settled the matter with the three accused for a total sum of Rs. 60,000/-, of which Rs. 30,000/- has already

BAIL APPLN. 204/2026 Page 3 of 6 This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 01/04/2026 at 14:28:35 been received, while the remaining Rs. 30,000/- is stated to be payable at the time of quashing of the subject FIR. 10. It is further submitted that, pursuant thereto, a quashing petition [CRL.M.C. 8784/2025] has also been filed in this Court and is scheduled to be listed on 21.04.2026. Mr. Singh states that an affidavit of no objection from the complainant has also been filed

with the said petition; however, the same is not yet on record in the present bail applications. He has handed over a copy of the affidavit of no objection dated 01.12.2025, which is taken on record. 11. While it is undisputed that the material witness has been examined, Mr. Chauhan submits that the Investigating Officer has not verified the settlement on which the applicants seek to rely. 12. Having regard to the fact that the material witnesses have already been examined, and especially considering the settlement arrived at between the parties, in respect of which a separate petition for quashing of the subject FIR has also been filed, I am of the view that this is a fit case for the grant of bail. Although the Investigating Officer ought to have verified the factum of the said settlement, even in the absence of such verification, there is no reason to disbelieve the affidavit of no objection filed by the complainant. 13. For the foregoing reasons, it is directed that the applicants be released on bail in connection with FIR No. 0287/2025 dated 21.04.2025, registered at P.S. Burari under Sections 309(4), 309(6), 311, and 3(5) of the BNS, subject to the furnishing bail bond in the sum of Rs. 15,000/- each, with one surety of the like amount, to the satisfaction of the learned Trial Court/Duty Magistrate, and subject to the following conditions:

 This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 01/04/2026 at 14:28:35 a) The applicants shall appear before the Sessions Court on every date of hearing as fixed; b) The applicants shall furnish their permanent address to the concerned Investigating Officer [IO]/Station House Officer [SHO], as well as the address at which they are residing during the pendency of the case, and shall, in the event of any change in their residential address, promptly intimate the IO/SHO and file an affidavit before the Sessions Court; c) The applicants shall furnish their mobile number to the concerned IO/SHO and ensure that the number remains operational and switched on at all times. The mobile number shall not be changed, nor the phone switched off, without prior intimation to the IO/SHO; d) The applicants shall not, directly or indirectly, contact, visit, or offer any inducement, threat, or promise to any prosecution witnesses or other persons acquainted with the facts of the case; e) The applicants shall not, directly or indirectly, tamper with evidence or engage in

any act or omission that could prejudice the proceedings of the pending trial; f) The applicants shall not commit any offence during the pendency of the proceedings. 14. The bail application is disposed of in the aforesaid terms. 15. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.

BAIL APPLN. 204/2026 Page 5 of 6 This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 01/04/2026 at 14:28:35 16. A copy of this order be communicated electronically to the concerned Jail Superintendent for necessary information and compliance.

**PRATEEK JALAN, J**

MARCH 30, 2026 tg/SD/

BAIL APPLN. 204/2026 Page 6 of 6 This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 01/04/2026 at 14:28:35

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