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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision: 17.11.2026***

\# **CNR No.DLHC010385242026**

\+ **BAIL APPLN. 3409/2026, Crl.M.A. Nos.25442/2026, 25443/2026**

(7) SHOBHA DEVI .....Petitioner

Through: Mr. Nirbhay Kumar, Mr. Summinder Paswan, Mr. Aditya Soni and Mr. Ravi Ranjan, Advocates.

versus

STATE (NCT) OF DELHI .....Respondent

Through: Mr. Ashneet Singh, APP for State.

\# **CNR No.DLHC010385772026**

\+ **BAIL APPLN. 3414/2026, Crl.M.A. Nos. 25463/2026, 25464/2026**

(8) VICKY PASWAN .....Petitioner

Through: Mr. Nirbhay Kumar, Mr. Summinder Paswan, Mr. Aditya Soni and Mr. Ravi Ranjan, Advocates.

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Ashneet Singh, APP for State.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

1. By way of the present applications filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 438 of the Code of Criminal Procedure, 1973), the applicants, namely, Shobha Devi (in Bail Appln. 3409/2026) and her son Vicky Paswan (in Bail Appln.

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3414/2026), seek anticipatory bail in e-FIR No. 80046175/2026, dated 04.06.2026, registered at P.S. Rani Bagh, Outer District, Delhi, under Section 305 of the Bharatiya Nyaya Sanhita, 2023.

2. Since both applications arise out of the same FIR and rest on the same allegations and pleadings, they are decided by this common order.

3. The complainant, Shyam Sunder, reported the theft of cash and gold and diamond jewellery from the locker of an almirah of his house in Kailash Enclave, Pitampura, Delhi. The FIR was registered against unknown persons. Neither applicant is named in it.

4. During the course of investigation, one Shivam, who was working as a part-time domestic help at the residence of the complainant, was arrested on 12.06.2026. A gold ring, allegedly part of the stolen property, was recovered from him. Shivam is the son of the applicant Shobha Devi and brother of the applicant Vicky Paswan.

5. The involvement of the present applicants rests on the disclosure statement of the co-accused Shivam, made while in police custody, to the effect that after committing the theft he had handed over the remaining stolen articles to his mother and brother. Police custody remand of Shivam was obtained for two days, during which he was taken to his residence, where the applicants also live. No recovery was made in that search.

6. *Vide* order dated 04.07.2026, the learned ASJ-02/Special Judge (NDPS), North-West, Rohini Courts, Delhi granted bail to co-accused Shivam in Bail Matters 1531/2026. The said order reads as under:

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1. This is regular bail application under Section 483 BNSS for grant of bail, moved on behalf of applicant/accused Shivam.

2. It is submitted by Ld. Counsel for applicant/accused that the applicant/accused is innocent and falsely implicated in the present case. It is further submitted that the allegations are purely on the basis of suspicion and subsequent statements and trial is likely to take a considerable time. It is submitted that applicant/accused has clean record and have no criminal antecedents. Therefore, it is prayed that he be granted bail.

3. It is submitted by the Ld. Addl. PP for the State that the TIP proceedings of the recovered case property are yet to be conducted and the investigation is still at a nascent stage. The applicant/accused may influence his associates and may abscond or evade the investigation, if released on bail.

4. Heard. Perused.

5. As the case is called under the guidelines of *'Arnesh Vs. State of Bihar judgment by Supreme Court of India'* and considering the fact that the applicant/accused was already remanded to two days PC and there is no chance of further recovery. Hence, considering the aforesaid circumstances and facts, I am of the view that no purpose will be served by keeping the applicant/accused in custody. Therefore, the application is allowed. applicant/accused is admitted to bail on furnishing personal bond in sum of Rs. 10,000/- with one surety of the like amount subject to the conditions that:

(a) Applicant/accused shall provide his all mobile numbers to IO and keep them switched on at all time;

(b) Applicant/accused shall not commit the same offence again;

(c) Applicant/accused shall provide his fresh address by way of an affidavit in the Court after his release and in case of any change in his address shall inform the Court;

(d) Applicant/accused shall appear on each and every date of hearing before the Court.

6. Application stands disposed off. Copy dasti. Copy of this order be also sent to Jail Superintendent.

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7. Thereafter, the applicants filed anticipatory bail applications (Bail Matters 1806/2026 and 1807/2026) before the learned ASJ-II/Special Judge (NDPS), North-West, Rohini Courts, Delhi. In the reply of the Investigating Officer (IO), it was stated that non-bailable warrants have been issued against them. *Vide* orders dated 05.08.2026, the aforesaid bail applications were rejected on the ground that custodial interrogation of the applicants was required.

8. On 19.08.2026, during the course of the present proceedings, both the applicants were present in Court and expressed their readiness and willingness to join the investigation. Taking that undertaking on record, this Court directed that no precipitative steps be taken against the applicants till the next date of hearing.

9. Learned counsel for the parties have been heard.

10. Learned APP for the State submits, on instructions, that the applicants, namely, Shobha Devi (in Bail Appln. 3409/2026) and her son Vicky Paswan (in Bail Appln. 3414/2026), have not only joined the investigation but also that their custodial interrogation is not required.

11. I have given my thoughtful consideration to the matter.

12. It is noted that the applicants are not named in the present FIR. At the highest, the allegation is that they received some of the stolen articles from the co-accused Shivam.

13. The present applicants are admittedly cooperating with the investigation. Further, as noted above, learned APP for the State submits that their custodial interrogation is not required.

14. Moreover, the principal accused, Shivam, has already been granted

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regular bail by the learned ASJ-02/Special Judge (NDPS), North-West, Rohini Courts, Delhi on 04.07.2026.

15. In these circumstances, the applications are disposed of, recording the statement of the learned APP for the State to the effect that the custodial interrogation of the present applicants is not required and that no coercive steps shall be taken against them, subject to their continuing to cooperate in the investigation. It shall, however, be open to the applicants to seek appropriate remedies if they apprehend arrest in future.

16. The present applications, along with any other pending applications, are disposed of in the above terms.

SACHIN DATTA, J

NOVEMBER 17, 2026/*at/vk*

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