



2026:DHC:7964



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 17.09.2026

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CNR No. DLHC010290952026

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BAIL APPLN. 2608/2026

VIKAS

.....Petitioner

Through: Mr. S.K. Kalra, Ms. Liza Popli, and
Ms. Mradul Sharma, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with Investigating Officer/Inspector
Arun Sindhu.

CORAM: JUSTICE GIRISH KATHPALIA**JUDGMENT (ORAL)**

1. The accused/applicant seeks bail in case FIR No. 352/2017 of PS M. S. Park for offence under Section 302/396/395/412/201/120B/34 IPC.

2. Broadly speaking, allegation against the accused/applicant is that with the help of his co-accused persons, he committed robbery coupled with murder of five persons by inflicting stab injuries on each of them. One of the deceased persons was father-in-law of the accused/applicant and according to prosecution case, the said deceased, while working as a security guard in



the premises where the offence took place, had shared information to assist the alleged robbery. According to prosecution case, while fleeing from the spot after committing murders and robbery, the accused/applicant with the help of co-accused persons, slit throat of his father-in-law under the apprehension that he could spill the beans.

3. Against the above backdrop, it is submitted by learned counsel for accused/applicant that there is no evidence to connect the accused/applicant with the alleged offence. It is submitted by learned counsel that the accused/applicant is suffering incarceration for past 09 years, without there being any evidence against him and till date, out of 53 prosecution witnesses, only 16 have been examined by the trial court.

4. Learned APP for State, assisted by Investigating Officer/Inspector Arun Sindhu, opposes the bail application, contending that in view of gravity of the offence alleged against the accused/applicant, it is not a fit case to grant bail. As regards the trial status, the Investigating Officer/Inspector Arun Sindhu does not dispute that as on date, only 16 witnesses of prosecution have been examined, out of 53 witnesses. As regards evidence connecting the accused/applicant with the alleged offence, the learned APP, on instructions of the Investigating Officer, submits that the only evidence is that from clothes and shoes of the accused/applicant, blood of the deceased was detected. It is submitted that there is no other evidence to connect the accused/applicant with the alleged offence.



5. To begin with, it is to be kept in mind that for past 09 years, the accused/applicant is suffering incarceration and till date, out of 53 prosecution witnesses, only 16 witnesses have been examined in trial, which hinges on circumstantial evidence.

6. As regards the evidence collected against the accused/applicant, as mentioned above, the only evidence, according to the Investigating Officer, is detection of blood of the deceased on the clothes of the accused/applicant. It would be interesting to note that the alleged killing took place on the intervening night of 06.10.2017 and 07.10.2017; and the accused/applicant was arrested on 06.12.2017, after which his clothes were recovered. One finds it difficult to believe that the accused/applicant, after committing such gruesome multiple murders, would retain his bloodstained clothes for two months as if a trophy to be shown to the IO. It is not difficult to imagine that the blood of the deceased collected from the post-mortem proceedings could have been sprinkled on the clothes after recovery thereof. However, I must add a cautious rider that these are only *prima facie* findings recorded in order to meet the rival arguments and the learned trial court shall take an independent view on the basis of evidence adduced by both sides.

7. Indeed, gravity of offence is one of the vital factors while considering a bail application. But gravity of offence has also to be appreciated in the light of evidence collected against an accused during investigation. It is



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unfortunate that investigation in such gruesome multiple murder case was carried out in such a shoddy manner. The accused/applicant has already suffered incarceration for 09 years even in such circumstances.

8. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant.

9. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate.

10. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 17, 2026/ry