



2025:DHC:2749



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

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*Date of Decision: 21.04.2025*+ **BAIL APPLN. 275/2025****MANJEET KARKETTA**

.....Petitioner

Through: Mr. Sundeshwar Lal, Advocate

versus

**STATE GOVT OF NCT OF DELHI**

.....Respondent

Through: Mr. Nawal Kishore Jha, APP for State  
with ACP Mukesh Kumar and  
Inspector Lakhmi Chand, PS Paschim  
Vihar West**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. This matter has come up before me for the first time. To say the least, investigation in this case shocks conscience of this court. The murder occurred in the year 2018. The manner in which the murder was committed was gruesome. The dead body was identified to be of one Soni @ Chhoti. After arrest of the accused/applicant, Soni @ Chhoti was found alive. The dead body remains unidentified till date. The accused/applicant was arrested and the chargesheet was filed in the year 2018 itself, after which, as many as four supplementary chargesheets have already been filed. Not just the investigator, it is also the senior police officers who are supposed to supervise investigation seem to have not been diligent.



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2. The accused/applicant, suffering incarceration since 17.05.2018 in case FIR No. 142/2018 of PS Mianwali Nagar for offence under Section 302/201/34 IPC seeks to be released on regular bail.

3. Learned counsel for accused/applicant contends that this is a fit case to grant bail as the accused/applicant is in jail since the year 2018 but till date, nobody knows for killing whom.

4. Learned prosecutor submits that there is evidence of “last seen” to connect the accused/applicant with the murder. Further, it is contended by learned prosecutor that at the instance of the accused/applicant, the bag in which dead body was disposed of was recovered. It is also contended that location of the accused/applicant was found to be at the place of occurrence on the basis of CDR. Learned prosecutor also discloses previous involvement of the accused/applicant in a theft case, but also fairly discloses that the accused/applicant was admitted to bail in that case.

5. So far as the location of the accused/applicant is concerned, learned counsel for accused/applicant submits that the same is drawn from mobile phone towers, which cover a large area, so it cannot be said that the accused/applicant was present at the precise spot of offence at the time of murder.



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6. As mentioned above, this is a case of circumstantial evidence. Motive is one of the important sequences in the chain of circumstantial evidence. Motive, by its very nature would be connected with the deceased. Till date, deceased has not been identified. As regards the “last seen” hypothesis, the said last seen was with Soni @ Chhoti, who has been found to be alive.

7. It is extremely saddening that a human being lost life in such gruesome manner and the body was cut into pieces way back in the year 2018 but till date even identity of the deceased has not been established. But merely for that reason, in such circumstances, the accused/applicant cannot be deprived of liberty any further.

8. Therefore, the application is allowed and it is directed that the accused/applicant be released forthwith 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.

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

**GIRISH KATHPALIA  
(JUDGE)**

**APRIL 21, 2025/as**