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

Judgment delivered on: 05.05.2026

+ BAIL APPLN. 748/2025 & CRL.M.(BAIL) 367/2025
RANJIT MEHTO

.....Petitioner

Through: Ms. Tanya Aggarwal, Mr. Kamlesh
Kumar Mishra and Mr. Krishna
Kumar, Advocates.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State.
Insp. Vishwa Nath and Insp.
Dharmendra Kumar, P.S.: NDRS.
Mr. Arthava and Mr. Aakash Tiwari,
Advocates for complainant.

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

J U D G M E N T

ANUP JAIRAM BHAMBHANI, J.

By way of the present petition filed under section 439 of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'Cr.PC'), the petitioner seeks regular bail in case FIR No.60/2021 dated 07.02.2021 registered under sections 364A/365 of the Indian Penal Code ('IPC'), 1860 at P.S.: Ashok Vihar, North West District, Delhi. Consequent upon completion of investigation, offences under sections 302/201 of the IPC have been added *vidé* chargesheet dated 10.05.2021 and supplementary chargesheet dated 03.08.2024. Charges have been framed *vidé* order dated 07.04.2022.



2. Notice on this petition was issued on 20.02.2025.
3. Status Report dated 09.03.2025 has been filed on behalf of the State.
4. Nominal Roll dated 19.02.2026 has also been received from the Jail Superintendent.
5. The petitioner has handed-up written submissions dated 15.04.2026. The same are directed to be taken on record. Pursuant to order dated 21.04.2026, the State has also given a brief note dated 23.04.2026
6. The court has heard Ms. Tanya Aggarwal, learned counsel appearing for the petitioner; as well as Ms. Shubhi Gupta, learned APP appearing for the State.
7. The offence for which the petitioner is in custody is the alleged abduction for ransom and murder of one Shyam Mohan Shukla, husband of the complainant.
8. Briefly, the case of the prosecution is as follows:
 - 8.1. The subject FIR came to be registered at the instance of one Nirmala Devi, who is the wife of the deceased, alleging that her husband – Shyam Mohan Shukla – had been abducted and held captive for ransom.
 - 8.2. The allegation is that on 06.02.2021 at about 12:00 noon, the deceased left his house without informing his wife, the complainant, and at about 02:00 PM, he informed her telephonically that he was with a friend and would return soon. However, at about 07:00 PM, when the complainant called him, an unknown person answered the call and stated that the deceased would return the next morning. On 07.02.2021 at about 9:30 AM,



- the complainant received a call from the deceased's cell-phone made by an unknown caller but the caller did not allow the complainant to speak with her husband. Thereafter, at about 11:30 AM, another call was received, at which stage the unknown caller demanded a ransom of Rs.45,000/- and provided bank account details in the name of "Bhawani Telecom" for transfer of the ransom amount.
- 8.3. During the course of investigation, the petitioner was arrested on 12.02.2021, and the allegation is that at his instance, the dead body of the deceased was recovered from a *jhuggi* allegedly taken on rent by the petitioner. The body was found in a decomposed condition with multiple injuries.
- 8.4. As regards the money trail, it is further the allegation that on 07.02.2021 the petitioner visited the shop of one Pawan Kumar at Haiderpur, and on the pretext of seeking a transfer of Rs. 500/-, he got the bank account details of the shop sent to the cell-phone number of the deceased. It is alleged that these were the same bank account details that were subsequently communicated to the complainant for paying the ransom amount.

SUBMISSIONS ON BEHALF OF PETITIONER

9. Ms. Aggarwal, learned counsel for the petitioner has submitted that the case against the petitioner rests entirely on circumstantial evidence, with no direct material linking the petitioner to the alleged offence. It is submitted that the petitioner has been in continuous custody for more than 05 years, and given the slow pace of trial, he is entitled to be



released on regular bail. Learned counsel has also submitted that there is no material on record to show that the petitioner and the deceased were acquainted with each other, muchless that they shared any prior relationship.

10. It has been argued that there is no material on record to establish that the *jhuggi* from which the dead body was allegedly recovered belonged to, or was in possession of, the petitioner, there being no rent agreement or proof of payment of rent.
11. Counsel for the petitioner has submitted, that the disclosure statement alleged to have been made by the petitioner is inadmissible in evidence, since the dead body was discovered *prior* to the arrest of the petitioner and *not* pursuant to his disclosure statement. In this respect, attention has been drawn to the prosecution timeline, to submit that the dead body was recovered at about 02:30 PM on 12.02.2021, whereas the petitioner was arrested later at about 05:55 PM, thereby rendering the theory of *discovery pursuant to disclosure* untenable. Furthermore, the dead body was taken for PMR at about 06:15 PM, *i.e.*, within a very short span of time after the alleged arrest. It has been argued that considering the time-gap between the time of the petitioner's arrest and the time that the body was taken for PMR, it is impossible that the body could have been recovered on the petitioner's disclosure statement.
12. Counsel has submitted that the alleged recovery of the weapon of offence (a chopper) is also highly doubtful, inasmuch as the recovery is stated to have been effected from an open space. It has been contended



that such recovery, being from an open space accessible to the public at large, cannot be attributed to the petitioner, and therefore, does not constitute reliable or incriminating evidence against him. Furthermore, it has been contended that there is nothing in the FSL report linking the chopper with the alleged crime.

13. Counsel has also argued that the bank account to which the alleged ransom amount was sought to be transferred does not belong to the petitioner and that the petitioner has been baselessly implicated, allegedly on the basis of some CCTV-footage, despite there being no prior description, sketch, or identification of the alleged suspect.
14. Counsel has submitted that the investigation suffers from serious lacunae, and the petitioner has been singled-out without any cogent basis, being treated as the sole suspect.

SUBMISSIONS ON BEHALF OF THE STATE

15. Ms. Gupta, learned APP appearing for the State has submitted that there is ample incriminating material against the petitioner, as follows:
 - 15.1. That the statement of PW-3, namely Kishan Kumar, who has stated that on 07.02.2021 at about 11:45 AM, one person came to his brother's shop, and on repeated requests obtained the bank account details of the shop on the pretext of wanting to transfer Rs. 500/- to that account, with a request that the bank details be sent to the cell-phone number of the deceased. It is further submitted that PW-3 has identified the petitioner as the person who had taken the bank account details, and has supported the case of the prosecution before the learned trial court.



- 15.2. That crucial recoveries have been effected at the instance of the petitioner, including the dead body of the deceased and the weapon of offence, namely a blood-stained chopper.
- 15.3. That the dead body of the deceased was recovered from a room in a *jhuggi* situated in Ashok Vihar, which is in the vicinity of the place where the petitioner was residing at the relevant time. The prosecution's case is that the said *jhuggi* was rented by the petitioner from one Seema, whose statement was recorded under section 161 Cr.P.C; and that therefore, Seema is a material witness, and it is necessary that her testimony be recorded without any apprehension of threat or influence, and for that reason the petitioner should not be enlarged on bail. It has further been submitted that Seema has produced a copy of the petitioner's Aadhaar card, which lends credence to her statement that the petitioner had rented her *jhuggi*.
- 15.4. That when the police reached the said *jhuggi* along with the petitioner, the room was found locked from outside and was opened by the petitioner himself using a key.
- 15.5. That the recorded call conversations between the petitioner and the complainant, and between the petitioner and one Sandeep Mishra incriminate the petitioner. The FSL report also opines that "*the voice exhibits of speaker marked "Exhibit – Q1" and "Exhibit –S1" are **possible** voice of same person (i.e. Ranjit Mehto)*" (bold in the State's submissions).



16. It has also been submitted, that as per the nominal roll, the petitioner has been in custody for about 05 years; but in the meantime out of 30 prosecution witnesses, only 07 witnesses have so far been examined, and the material witness, namely Seema (landlady), is yet to be examined.
17. It has also been submitted that the petitioner has criminal antecedents, including a conviction in FIR No.207/2015 registered at P.S.: Sarai Rohilla, Delhi under section 174A of the IPC, as reflected in the nominal roll. Furthermore, the petitioner is stated to be involved in other criminal cases, namely FIR No.230/2014 under sections 379/411 of the IPC registered at P.S.: Dabri, Delhi and FIR No.135/2015 under sections 407/34 of the IPC registered at P.S.: Farsh Bazaar, Delhi.

DISCUSSION & CONCLUSIONS

18. Upon hearing learned counsel for the petitioner and learned APP for the State, and upon perusing the record, the following considerations weigh with the court at this stage:
 - 18.1. At the outset, it is noticed that the case against the petitioner rests on a chain of circumstantial evidence, comprising principally the alleged recovery of the dead body and the weapon of offence at the instance of the petitioner; the testimony of PW-3 (Kishan Kumar) regarding the petitioner having obtained certain bank account details on the pretext of transferring a sum of Rs. 500/- and having those sent to the cell-phone number of the deceased; the alleged tenancy of the petitioner over the *jhuggi* from where the dead body was recovered; and the FSL voice-comparison



- report. There is admittedly no direct evidence connecting the petitioner to the alleged abduction or homicide of the deceased.
- 18.2. Insofar as the recovery of the dead body is concerned, the petitioner has drawn the attention of the court to the prosecution's own timeline, namely that the dead body is claimed to have been recovered at about 02:30 PM on 12.02.2021, whereas the petitioner is shown to have been formally arrested at about 05:55 PM on the same day, with the dead body being taken for post-mortem at about 06:15 PM. If this timeline is correct on the prosecution's own showing, the theory that the recovery of the body was effected pursuant to a disclosure statement made by the petitioner after his arrest, would require closer scrutiny at the stage of trial. Likewise, the alleged recovery of the chopper is claimed to have been made from a place that is open and accessible to the public; and the FSL report *prima-facie* does not link the said weapon to the alleged crime. These are all matters that will have to be tested in the crucible of cross-examination, and a definite view on their probative worth cannot, and need not, be expressed at this stage.
- 18.3. It is also relevant that the alleged grant of tenancy of the *jhuggi* by Seema to the petitioner is, on the prosecution's own showing, sought to be established through the statement of Seema recorded under section 161 Cr.P.C., there being no rent agreement or proof of payment of rent on record, and based only on a copy of the petitioner's Aadhaar card stated to be available with Seema. The



bank account into which the alleged ransom amount was to be transferred is also *not* stated to belong to the petitioner. These aspects also raise questions on the strength of the chain of circumstances, and are matters of trial.

19. What weighs heavily with this court however, is the fact that as per the nominal roll, the petitioner has been in continuous judicial custody for about 05 years; and that, as candidly stated by the learned APP, only 07 out of 30 prosecution witnesses have been examined so far; and there is no material on record to suggest that the delay in conduct of trial is attributable to the petitioner. While the offences alleged are undoubtedly serious, prolonged pre-trial incarceration, in a case which rests on circumstantial evidence and where the trial is at a comparatively early stage, militates against the constitutional guarantee of speedy trial under Article 21 of the Constitution of India.
20. The principal apprehension articulated by the learned APP is that Seema, who is stated to be a material public witness in relation to the alleged tenancy of the *jhuggi*, is yet to be examined, and that her testimony ought to be recorded without any apprehension of threat or influence. In the opinion of this court, that apprehension can be adequately addressed by imposing appropriate conditions on the petitioner, rather than by continuing his incarceration.
21. The submissions made on behalf of the State as regards the criminal antecedents of the petitioner, including his conviction in FIR No.207/2015 (P.S.: Sarai Rohilla) under section 174A of the IPC, and his alleged involvement in FIR No.230/2014 (P.S.: Dabri) under



sections 379/411 of the IPC and FIR No.135/2015 (P.S.: Farsh Bazaar) under sections 407/34 of the IPC, have been duly noted. The said antecedents, though relevant for the purpose of imposing suitable conditions, are not, by themselves, of such character as would warrant continued incarceration in the present FIR, particularly in light of the period already undergone by the petitioner and the slow pace of trial.

22. This court reminds itself of the observations of the Supreme Court in *Union of India vs. K.A. Najeeb*¹ as followed by the undersigned while sitting in Division Bench in *Mohd. Hakim vs. State (NCT of Delhi)*,² where it has been recognised that the right to speedy trial under Article 21 of the Constitution *must be preserved*; and that the court must step-in early rather than late, to protect the right before it is defeated by the reason of prolonged undertrial incarceration. As observed in *Mohd. Hakim*, this court must act as a ‘doctor’ rather than a ‘coroner’ and save the right to speedy trial from extinguishment rather than lament later that it should have been preserved.
23. In view of the foregoing, this court is persuaded to grant to the petitioner – *Ranjit Mehto s/o Upender Mahto* (appearing in the record variously as Mehto/Mahto/Mahato) – *regular bail* pending trial, subject to the following conditions:
- 23.1. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- (Rs. Twenty-five Thousand Only) with one surety of

¹ (2021) 3 SCC 713

² 2021 SCC OnLine Del 4623



- the like amount from a family member, to the satisfaction of the learned trial court;
- 23.2. The petitioner shall furnish to the Investigating Officer/S.H.O., P.S.: Ashok Vihar, North West District, Delhi a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 23.3. If the petitioner has a passport, he shall surrender the same to the learned trial court and shall not travel out of the country without prior permission of the learned trial court;
- 23.4. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case;
- 23.5. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial; and
- 23.6. In case of any change in his residential address/contact details, the petitioner shall promptly inform the I.O. in writing.
24. Since the petitioner is facing trial and would therefore be appearing before the learned trial court from time-to-time, it is not considered necessary to impose a reporting requirement as a condition of regular bail.
25. Nothing observed hereinabove shall be construed as an expression on the merits of the case, and the observations made are confined to the disposal of the present bail petition.
26. The bail petition is disposed of in the above terms.



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27. Pending applications, if any, also stand disposed-of.
28. A copy of this order be communicated to the Jail Superintendent for compliance and necessary action.

MAY 05, 2026

ANUP JAIRAM BHAMBHANI, J