

**IN THE COURT OF SH SAMAR VISHAL, ADDITIONAL SESSIONS
JUDGE-02, SOUTH DISTRICT, SAKET COURTS, NEW DELHI**

Bail Matter No. : 414/2026
FIR No. : 68/2026
Police Station : Malviya Nagar
under Section : 79/351(2)/196/3(5) BNS & 3(1)(r)(u)(w)(ii) SC/ST
Act

&

Bail Matter No. : 413/2026
FIR No. : 68/2026
Police Station : Malviya Nagar
under Section : 79/351(2)/196/3(5) BNS

IN THE MATTER OF:

State

...Non-Applicant

Through: Sh. Arun Kumar Singh, Ld. Additional Public Prosecutor
Investigating Officer: ACP Ritu Raj

V.

Ruby Jain @ Neeraj Jain

D/o Sh. Tara Chand Jain

R/o C-114, UGF, Panchsheel Vihar

Khirki Extension, Malviya Nagar, New Delhi

...Applicant

Through: Sh. Gaurav, Ld. Counsel

&

State

...Non-Applicant

Through: Sh. Arun Kumar Singh, Ld. Additional Public Prosecutor
Investigating Officer: ACP Ritu Raj

V.

Harsh Priya Singh

S/o Sh. Tej Singh

R/o C-114, UGF, Panchsheel Vihar

Khirki Extension, Malviya Nagar, New Delhi

...Applicant

Through: Sh. Gaurav, Ld. Counsel

DATE OF FILING OF APPLICATIONS	: 07.03.2026
DATE OF RESERVING ORDER	: 10.03.2026
DATE OF PRONOUNCEMENT	: 11.03.2026

ORDER

11.03.2026

1. By this common order, I propose to dispose of the two applications for bail preferred on behalf of the accused persons—Ruby Jain @ Neeraj Jain and Harsh Priya Singh, who are presently in custody since 25.02.2026. The applicants were remanded to judicial custody in connection with offences punishable under Sections 79/351(2)/196/3(5) of the Bharatiya Nyaya Sanhita, 2023, and Sections 3(1)(r), 3(1)(u) and 3(1)(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The provisions under section 3(1)(r), 3(1)(u) and 3(1)(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 are invoked only against the accused Ruby Jain. The First Information Report in the present matter came to be registered on 21.02.2026 on the complaint of three victims, who are stated to belong to the States of Arunachal Pradesh and Manipur and who are the neighbours of the accused persons.

2. The present incident has arisen from a neighbourhood fracas, in the course of which the accused persons are alleged to have engaged in a heated altercation with their neighbours, who are the victims in the present case and who belong to the Scheduled Tribes community hailing from the North-Eastern region of the country.

3. The reply filed by the Investigating Officer suggests that the genesis of the dispute between the parties lay in an altercation started by the accused, relating to the installation of an air conditioner in the rented flat of the victims. However as it is too often the case,— when hatred speaks, reason falls silent and where wrath prevails, wisdom withdraws. This happened here with the accused as well.

4. During the installation of an air conditioner at the rented premises of the victims on the fourth floor, certain dust and drilling debris is stated to have accidentally fallen to the lower floor where the accused were residing, during the course of the installation work. Instead of the matter being resolved with mutual understanding, it is alleged that the accused began abusing the electrician engaged for the installation as well as the victims. When the victims attempted to explain that the occurrence was purely accidental and unintentional, the accused persons allegedly became aggressive and proceeded to make abusive remarks directed at the victims, who belong to Scheduled Tribe communities from the North-Eastern region of the country.

5. It is further alleged that during the altercation the accused persons made derogatory and sexually coloured remarks concerning the victims

and also uttered defamatory statements touching upon the character of the complainants. According to the prosecution, the accused publicly humiliated the victims by making offensive insinuations to the effect that women from the North-Eastern region earn money by engaging in sex work in parlours and by “pleasing men”. The prosecution asserts that such remarks were intentionally made with the object of insulting and intimidating the complainants in public view and of humiliating them on the basis of their ethnicity and tribal identity.

6. It is further the case of the prosecution that these acts were committed in the presence of the electrician, neighbouring residents, and other members of the public who had gathered at the spot. The incident is also stated to have been captured on video.

7. The Investigating Officer in its reply has opposed the grant of bail, contending that the allegations against the accused persons are serious in nature. It is submitted that the accused persons intentionally humiliated the victims, who belong to Scheduled Tribe communities, in public view and made racially abusive as well as sexually coloured remarks, which have caused severe mental trauma and emotional distress to the complainants. It is further argued that if released on bail at this stage, the accused persons may attempt to influence or intimidate the complainants and other witnesses, or may otherwise interfere with the course of investigation. The Investigating Officer has also submitted that the investigation is still at an initial stage and that the grant of bail at this juncture may adversely affect the ongoing investigation and may create a sense of fear or apprehension among the victims and witnesses.

8. I have heard the learned Additional Public Prosecutor for the State, the learned counsel appearing for the complainants/victims, as well as the learned counsel for the accused persons. Both the accused persons are also present before the Court during their remand proceedings and have been heard.

9. It is an admitted position that the incident in question was video-graphed, and the alleged acts and utterances forming the subject matter of the present case have, to a considerable extent, been captured in the video footage. The existence of such recording has left little scope for the accused persons to deny the occurrence or the conduct attributed to them as reflected in the said footage.

10. During the course of the hearing, accused Harsh Priya Singh submitted before the Court that the occurrence was essentially the result of a neighbourhood dispute which unfortunately escalated beyond proportion. He has stated that he has already expressed regret for the incident and tendered an apology through certain video messages posted on social media.

11. Bail has also been sought on behalf of accused Ruby Jain on the ground that she is stated to be suffering from tuberculosis since the year 2022 and requires regular medical attention. It has further been argued on behalf of the accused persons that the entire incident having been video-graphed, no further recovery is required from them and no custodial interrogation is necessary. It has also been contended that the accused persons were not aware of the caste or tribal identity of the

victims at the time of the incident. Learned counsel for the accused has further submitted that the parties were neighbours who had been living peacefully prior to the present occurrence and that the altercation, though unfortunate, did not involve any physical assault or bodily injury. It is also submitted that the accused persons have no previous criminal antecedents. Emphasis has been placed on the settled principle that bail is the rule and jail the exception. The accused persons have also stated before the Court that they are willing to vacate the premises where they presently reside and relocate to another locality, and have undertaken to vacate the said premises on or before 31.03.2026.

12. Per contra, the learned counsel for the victims, as well as the learned Additional Public Prosecutor, have opposed the grant of bail. It has been submitted that the interests and sense of security of the victims must also be duly protected. It is argued that the investigation is still at an initial stage and certain steps remain to be undertaken, including obtaining voice samples of the accused persons, sending the video recordings for examination to the Forensic Science Laboratory, and examining independent witnesses such as the electrician and other public witnesses present at the spot. It is apprehended that if the accused persons are released on bail at this stage, they may attempt to influence or intimidate the witnesses.

13. Learned counsel for the complainants has further submitted that the impact of the incident upon the victims has been profound. It has been stated that one of the victims, who belongs to the State of Manipur, was taken back to her native place by her relatives within a few days of

the incident due to the emotional distress and fear caused by the occurrence. It is argued that the incident had a ripple effect upon the victims, all of whom had come to Delhi for the purpose of pursuing their studies but were compelled, on account of the episode, to prepare for shifting their residence. According to the complainants, the humiliation caused to them in public view has had far-reaching consequences upon their sense of dignity and security.

14. It is also alleged that during the altercation the accused persons uttered expressions referring to the complainants' place of origin and their tribal identity, which were derogatory in nature and allegedly wounded the dignity of the three victims against whom the abuses were directed. The complainants have further alleged that the accused persons subsequently involved the landlord of the premises and attempted to pressurise the victims to withdraw the case.

15. I have carefully perused the record and considered the rival submissions advanced before the Court. The accused persons have now remained in judicial custody for a period of approximately fifteen days. The statements of the victims have already been recorded during the course of investigation.

16. One of the principal arguments advanced on behalf of the defence is that the incident, though unfortunate, remained confined to the realm of verbal altercation and did not culminate in any physical assault or bodily injury to the victims. While it is correct that no physical injuries have been reported, a perusal of the video recording placed on record

reveals that the situation had assumed a degree of hostility which carried the potential to escalate further. The footage indicates that the accused persons were seen holding sticks in their hands during the confrontation, and the demeanour of the accused persons in the video reflects considerable aggression. In such circumstances, it cannot be ruled out that the situation could easily have degenerated into physical violence had the altercation continued unabated. The incident, therefore, appears to have stopped just short of an actual physical assault.

17. Be that as it may, the absence of physical violence does not dilute the gravity of the words alleged to have been uttered. Words, though intangible, often possess a potency capable of wounding more deeply than any visible blow. It must be remembered that when a person assails a fellow citizen on the basis of caste, tribe, region or lineage, the injury inflicted is not merely personal but strikes at the very foundation of fraternity which binds the citizens of our great Republic together. Such utterances, born out of prejudice and uttered in moments of unrestrained temper, corrode the spirit of national unity and erode the mutual respect that ought to animate the social fabric of a diverse and plural society. A nation so richly varied in its cultures, languages and communities can endure only when its people recognise that dignity is indivisible and that humanity must remain paramount.

18. It must therefore needs to be stressed in unequivocal terms that domestic disagreements, however heated they may become, can never justify a descent into language that demeans identity or denigrates heritage. A person who indulges in such speech does not merely offend

another individual; such conduct also diminishes one's own moral stature and undermines the civility that distinguishes a harmonious society from one marked by discord. Language which derides identity or mocks heritage reflects not merely a lack of restraint but also a deficiency of civic sensibility. Citizens therefore needs to exercise restraint even in moments of anger, remembering always that courtesy in speech is the first sentinel of social peace.

19. Having said so, the Court is also required to balance the seriousness of the allegations with the principles governing the grant of bail. The accused persons have remained in custody for a period of about fifteen days. The statements of the victims have already been recorded and the principal incident stands captured in a video recording. Despite the reprehensible nature of the conduct attributed to the accused persons, I am of the considered view that no useful purpose would be served by their continued incarceration at this stage, if appropriate safeguards can be put in place to ensure that the investigation proceeds unhindered and if it can be reasonably ensured that, upon their release, the accused persons shall not act in any manner prejudicial to the ongoing investigation, shall refrain from attempting to influence or intimidate the complainants or other witnesses, and shall conduct themselves in a manner befitting the law, their further detention may not be warranted at this juncture. This, in my view, can appropriately be achieved firstly by imposing stringent conditions while granting bail and secondly instead of granting regular bail at this stage, by releasing them

on interim bail and to observe their conduct during this period for a tentative period of 30 days.

20. Consequently, both the accused persons Ruby Jain and Harsh Priya Singh are granted interim bail till 13.04.2026, subject to the following conditions:

1. The accused persons shall furnish personal bond and surety bond in the sum of Rs.25,000/- each to the satisfaction of this court.
2. The accused persons shall not do any act which may, directly or indirectly, prejudice the investigation of the present case.
3. The accused persons shall not contact, approach, intimidate, threaten, or attempt to influence the complainants, victims, or any of the witnesses in any manner whatsoever.
4. The accused persons shall ensure that no act on their part creates any sense of fear, apprehension, or intimidation in the minds of the victims.
5. The accused persons shall abide by their undertaking given before this Court and shall vacate the premises where they presently reside on or before 31.03.2026, so as to avoid any further confrontation between the parties.
6. The Investigating Officer, who is the Assistant Commissioner of Police in the present case, shall provide his contact number to the victims, and the victims shall remain at liberty to approach the Investigating Officer at any time in case of any difficulty, intimidation, or issue arising in relation to the present case.

7. The accused persons shall provide their updated residential address and active mobile numbers to the Investigating Officer and shall inform any change in them to the investigation officer.

8. The accused persons shall join the investigation as and when called by the Investigating Officer and shall fully cooperate with the investigation and shall not indulge in any act similar to the conduct alleged in the present case.

9. The Investigating Officer shall remain vigilant during the period of interim bail and shall promptly report to the Court in case any violation of the aforesaid conditions is brought to notice. The victims shall also be at liberty to apprise this Court of any violation of the aforesaid conditions by the accused persons, should such a situation arise.

21. The matter be listed upon expiry of the interim bail period for further consideration on **13.04.2026**. Both the accused persons shall have to bear it constantly in their mind that the liberty extended to them is upon the firm expectation that the conditions herein imposed shall be observed scrupulously. Any infraction of the aforesaid conditions shall render them liable to the immediate cancellation of the interim bail so granted. Furthermore, the continuance or extension of the interim indulgence shall be contingent upon their faithful compliance with these conditions during the period of their interim bail.

22. Needless to say that the investigation officer is duty bound to complete the investigation within two months in accordance with the

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995. Accordingly the investigating officer shall also file the status report of investigation on the next date.

23. Ordered accordingly

24. Put up on **13.04.2026** for further orders.

**Announced in the open
Court on 11.03.2026**

**(SAMAR VISHAL)
Additional Sessions Judge-02,
South, Saket Courts, New Delhi
11.03.2026**

Note: This order comprises of 12 pages in total. The electronic signature certificate (digital signature) of the Presiding Officer has been appended on the last page of the electronic or digital copy (PDF) of this document.