



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

Date of decision: 02nd JULY, 2025

IN THE MATTER OF:

+ **CRL.A. 263/2025 & CRL.M.A. 6750/2025**

NEELAM RANOLIA ALIAS NEELAM PRAJAPAT ALIAS
NEELAM AZADAppellant

Through: Mr. Balraj Singh Malik, Mr. Amrit
Singh, Mr. Gaurav Bishnoi,
Advocates

versus

STATE NCT OF DELHIRespondent

Through: Mr. Chetan Sharma, ASG with
Mr.Laksh Khanna, APP for the State
and Mr. Akhand Pratap Singh, Ms.
Smriti Maheshwari, Ms. Diksha Suri,
Ms. Samridhi Dobhal, Mr. Krishna,
Mr. Hritwik Maurya, Mr. Amit
Gupta, Mr. Saurabh Tripathi, Mr.
Shubham Sharma, Ms. Urja Pandey,
Advocates
ACP Rahul Vikram, SI Amit Bhati

+ **CRL.A. 388/2025 & CRL.M.A. 9422/2025**

MAHESH KUMAWATAppellant

Through: Mr Somarjuna V M, Mr Vivek
Kumar, Mr Dinakar M P, Mr Amit
Gupta, Advocates

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Chetan Sharma, ASG with
Mr.Laksh Khanna, APP for the State



and Mr. Akhand Pratap Singh, Ms. Smriti Maheshwari, Ms. Diksha Suri, Ms. Samridhi Dobhal, Mr. Krishna, Mr. Hritwik Maurya, Mr. Amit Gupta, Mr. Saurabh Tripathi, Mr. Shubham Sharma, Ms. Urja Pandey, Advocates
ACP Rahul Vikram, SI Amit Bhati

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

JUDGMENT

SUBRAMONIUM PRASAD, J.

1. CRL.A. 263/2025 has been filed by the Appellant challenging the Order dated 11.09.2024, passed by the learned Additional Sessions Judge-02, Patiala House Courts, dismissing I.A. No.01/2024, filed by the Appellant herein in SC No.253/2024 for grant of bail in FIR No.142/2023, registered at Police Station Parliament Street for offences under Sections 186/353/153/452/201/34/120B IPC and Sections 13/16/18 of the Unlawful Activities (Prevention) Act, 1967 (UAPA).
2. CRL.A. 388/2025 has been filed by the Appellant challenging the Order dated 21.11.2024, passed by the learned Additional Sessions Judge-02, Patiala House Courts, dismissing I.A. No.02/2024, filed by the Appellant herein in SC No.253/2024 for grant of bail in FIR No.142/2023, registered at Police Station Parliament Street for offences under Sections 186/353/153/452/201/34/120B IPC and Sections 13/16/18 of the Unlawful Activities (Prevention) Act, 1967 (UAPA).



3. Shorn of unnecessary details, the facts as stated by the Prosecution are as under:

- a. It is stated that on 13.12.2023, after paying homage to the martyrs of 13.12.2001 terrorist attack on the Parliament of India, the regular proceedings of Lok Sabha began. The proceedings were being telecasted and watched live across the country through Sansad TV channel. It is stated that from 12:00 PM, the Question Hour began in the Lok Sabha. It is stated that at around 01:01 PM, when Sh. Khagen Murmu, Hon'ble MP from Maldah, North-West Bengal was speaking, two persons jumped from the public gallery No. 4, inside the Lok Sabha Main Hall, which was out of bound for the visitors, spectators and public. It is stated that one of those two persons started moving towards the Well of Lok Sabha by jumping over empty seats and was later identified as one Sagar Sharma.
- b. It is stated that when Sagar Sharma was within some distance of the Well/Speaker of the Lok Sabha, he was surrounded by the Parliament staff and some MPs who were present in the ongoing proceedings. It is stated that finding himself surrounded, Sagar Sharma took out a canister shaped object from his shoes and released its contents in the Lok Sabha Central Hall. The hall was engulfed in thick, yellow smoke coming out from the canister.
- c. It is stated that the second person was identified as one Manoranjan D. It is further stated that he also opened a coloured smoke canister inside the Central Hall of the Lok



Sabha. With painstaking efforts, both these persons were restrained and apprehended by Parliament staff along with the help of MPs.

- d. It is stated that the twin emission of thick, coloured smoke triggered terrorized reactions from amongst those present in the Lok Sabha. It is stated that the disruptive nature of the incident brought an end to the ongoing parliamentary discussions, which were of national significance and the proceedings of Lok Sabha were immediately adjourned by the Chair. It is stated that the act had inflicted terror in the minds of not only the members and spectators present in the Lok Sabha, but also of the millions who were watching the proceedings live on TV. It is stated that the terror was evident in the statements of MPs as given to national media immediately after they had come out of the Parliament.
- e. While the above incident was taking place inside the Lok Sabha, simultaneously, outside Gate No. 2 and 3 of the Parliament building, one lady, identified as Neelam Ranoliya/Appellant in CRL.A. 263/2025, along with one Amol Shinde, opened similar smoke canisters in full public view and also threw pamphlets. It is stated that the accused were raising slogans also. A PCR call was made by PCR staff ASI Surender Pal and information of the incident was flashed over the police radio. It is stated that the alert raised by the PCR staff was recorded *vide* DD No. 42A and 43A, dated 13.12.2023, at PS Parliament Street, New Delhi.



- f. Neelam and Amol were apprehended by the Delhi Police staff deployed outside the Parliament and were brought to Police Station Parliament Street for enquiry. It is stated that Sh. Omkar Singh, Deputy Director (S), Lok Sabha handed over a complaint, along with the custody of accused Manoranjan and Sagar and also handed over the shoes of both the accused and their Aadhar cards. It is stated that two used canisters of colour smoke (yellow), one Lok Sabha Public Gallery Pass bearing number 15/01/474906, dated 13/12/2023, in the name of Sagar Sharma, were also handed over to the Delhi Police. It is stated that the used colour smoke canisters were stated to have been the ones used by Sagar Sharma and Manoranjan D in Well of the Lok Sabha.
- g. It is stated that all the articles i.e., 02 Used Yellow Colour Smoke Canisters, Aadhar cards of both accused, some pamphlets, two pairs of shoes, visitor's pass of parliament, along with the accused persons and the complainant, along with the complaint, were brought to Police Station Parliament Street for further proceedings.
- h. It is stated that during the preliminary enquiry of DD No. 42 and 43, pertaining to accused Neelam Ranoliya and Amol Shinde, it was revealed that they are associates of accused Sagar Sharma and Manoranjan D and together, they had committed the act with common intention, in a premeditated and conspiratorial manner to strike terror. From the spot of incident outside the Parliament House, the PCR staff had



collected 04 used and 01 unused smoke canister and the same were also seized.

- i. It is stated that the scene of crime was inspected by the Mobile Crime Team along with Forensic Assistants of New Delhi District and further exhibits, as lifted by the Crime Team staff were also seized.
- j. It is stated that based upon the complaint given by Deputy Director, Security, Lok Sabha and incorporating the *halaat* as witnessed outside the Parliament House, an FIR bearing No.142/2023, at Police Station Parliament Street for offences under Sections 186/353/153/452/201/34/120B IPC and Sections 16/18 of the Unlawful Activities (Prevention) Act, 1967 (UAPA) was registered and all the four accused persons were arrested. It is stated that during the police custody remand, all the four accused were interrogated, and it was revealed that one more person namely Lalit Jha was accompanying them on 13.12.2023 and was assigned the task of video-graphing the act committed by the accused Neelam Ranoliya and Amol Sinde and further upload and circulate the video on social media and to send the video to national as well as international media as an integral part of the conspiracy.
- k. It is stated that during the investigation it was found that all accused had formatted/erased all data from their mobile phones, destroyed their SIM Cards before entering the Parliament and had handed over their mobile phones to Lalit Jha with the task of burning the phones. It is stated that the preliminary



interrogations also revealed that one Mahesh Kumawat/Appellant in CRL.A.388/2025 was also a part of the entire conspiracy.

1. It is stated that the preliminary investigations revealed a coordinated, premeditated act to commit the terror inside and outside the Parliament. It is stated that all six accused appeared well trained in the art of camouflage. It is further stated that the accused were deceptive and evasive individually as well as jointly. It is stated that persistent & scientific questioning of the accused gradually led to the emergence of the central roles of accused Manoranjan D and Sagar Sharma as being critical pillars of the larger conspiracy. It is stated that the email accounts of accused Manoranjan were accessed with the permission of the Court and it was found that he had erased/cleaned up a substantial amount of his digital footprint. Investigations revealed that only two emails which he had sent to his friends back were traced in 2013. All the trail emails to these two e-mails were found missing. It is stated that these two emails provided some insight into the formative life of Manoranjan. It is stated that deeper analysis of the available old emails revealed that Manoranjan had also travelled to Cambodia from 15.01.2014 to 30.08.2014. It is stated that on 28.12.2024, while searching his emails for more information, a travel memoir was found in one of the folders of the e-mail. It is stated that the memoir is about his travel from Chennai to Ladakh on a motorcycle. It is stated that memoir of Manoranjan



mirrors the famous 'Motorcycle Diaries' penned by Che Guevara. It is stated that in his memoir, Manoranjan mentions about a Chinese national, Li Rong, who had also travelled with him during this trip from Hyderabad till Delhi. It is stated that this memoir and its contents are significant pointers towards the mindset of Manoranjan and his centrality in the larger conspiracy. It is stated that in order to gain immediate and far-reaching attention, Manoranjan decided to target the very symbol of Indian democracy i.e., the Parliament. It is stated in order to achieve the goal, Manoranjan started scouting for people on social media who could become his loyalists and undertake the venture of assaulting the temple of Indian democracy. It is stated that Manoranjan assiduously searched social media for persons who were espousing and advocating various social and nationalistic causes, with special care to select those who hailed from economically disadvantaged backgrounds and mostly lacked formal education. It is stated that Sagar Sharma, came in touch with Manoranjan through the Facebook group 'Bhagat Singh Club'. It is stated that when Manoranjan met Sagar Sharma for the first time in December 2015, he had made a vague mention of something to be done with the Parliament of India. It is stated that Sagar Sharma joined Manoranjan in Mysuru sometime in 2021. It is stated that Sagar Sharma also started scouting for people to join their cause. It is stated that by this time Manoranjan had given final shape to his plan of committing the act in the Parliament and



had started convincing Sagar Sharma that such a spectacular act will attract the attention that was required and raise their profiles not only nationally but internationally. It is stated that investigations also established that Manoranjan was so determined in his head about the eventual success of his grand plans that he was making promises of richness, glory, and wealth to all those whom he could lure. It was through the persistent efforts of Sagar Sharma over social media that they managed to connect some associates and convinced them to meet physically in Mysuru in February 2022. It is stated that this was the first semi-organized meeting in a series of meetings over the past two years before the assault on Parliament was finally executed. It is stated that in February 2022, a meeting was planned and organised by Sagar Sharma at the behest of Manoranjan. It is stated that Sagar Sharma connected with all the members of this meeting initially over WhatsApp and subsequently, as per instructions of Manoranjan, over Signal messenger application. It is stated that in order to make the meeting meaningful, Sagar invoked the ideals of patriotism, stressing on the paramount need of secrecy at all times. It is stated that Manoranjan and Sagar carefully ensured that all the members they were inducing to join their cause belonged to economically lower strata of the society, possessed limited education and, as far as possible, represented different parts of the country. It is stated that in the meeting, Manoranjan proposed the idea of disruption of the present system of



Constitutionally ordained governance by creating chaos and disruption in the Parliament which will help them gain media attention. It is stated that to convince the gathering, Manoranjan had made them watch a video of an incident that had taken place in the Parliament of Kosovo in the year 2018, where tear gas was used to disrupt the proceedings. It is stated that in this meeting, Manoranjan also proposed other ideas like setting oneself on fire after applying fire protectant gel and usage of tear smoke. It is stated that Manoranjan also drew a rough sketch of the Indian Parliament and had conveyed his ideas in great details about what was coming towards their eventual path to glory, wealth and fame. It is stated that one of the participants of this meeting, who quit this group post the meeting, is witness Mandeep. It is stated that in his statement recorded under Section 164 Cr PC, the witness has affirmed the abovementioned brief of the meeting. It is stated that another participant of this meeting, Parth Gohil, in his statement recorded under Section 164 Cr PC, stated that Manoranjan had exhorted them to download Signal application. It is stated that amongst the varying ideas of Manoranjan, as conveyed in this meeting, the consistent theme was his focus on creating terror like situation in the Parliament of India. It is stated that the group maintained complete secrecy of the happenings.

- m. It is stated that the next meeting of the group was organised in July, 2022 in Gurugram, Haryana as most members belonged to northern parts of the country. It is stated that in the second



meeting, discussions were mostly centred around how to recruit more members to the group and how to ensure inclusion of a woman member so as to bring in gender equality towards the greater object of disrupting the Parliament of India. It is stated that after the second meeting, only Manoranajn, Sagar, Amol, Lalit and Mahesh continued with the pursuit whilst everyone else quit. It is stated that those who stayed with Manoranjan started looking for a woman member and contacted Neelam (Appellant in CRL.A.263/2025) in the process. It is stated that Sagar Sharma travelled to Jind, Haryana, to recruit Neelam Ranolia. It is stated that one Ramnivas and Mahaveer, who were acquaintances of Neelam and were present during the conversation she had with Sagar Sharma had advised Neelam against joining the group, finding its activities suspicious in nature. However, Neelam decided to join them nonetheless and started having conference calls on the Signal group. It is stated that with Neelam on board, Sagar and Manoranajn actively started pursuing the execution of their plan and begin to collect the materials required. It is stated that the Investigation revealed that on 24.07.2023, Manoranjan came to Delhi to carry out a recce of the Parliament. It is stated that Manoranjan procured a pass through the office of the then Mysuru MP and on 25.07.2023 he visited the Parliament, making close observations of the security apparatus functioning there. It is stated that he sat in the visitor's gallery, assessing the risks involved in carrying out the plan. It is also stated that



Manoranjan also went around the Parliament premises and its outer periphery for further assessments and refining the plan. It is stated that Manoranjan travelled to Hisar to meet Neelam Ranoliya and obtained her commitment for participation in the plan. It is stated that Neelam, being a woman, was an important aspect of Manoranjan's strategy to avert any suspicion. It is stated that Sagar Sharma had procured smoke canisters on 11.07.2023 from a shop named 'Supreme Mehndi and Fireworks', located near Kurla West station and later, had returned on 15.07.2023 to buy a few more canisters of a colour different from the one earlier purchased. It is stated that Amol Shinde had again gone to the same shop to buy Smoke canisters on 16.09.2023. It is stated that Amol Shinde purchased two pair of sports shoes from 'Sidana Footwear Shop', Natkhera Road, Alam Bagh, Lucknow for carving out cavities in their sole to carry the canisters inside in a concealed fashion. It is stated that the shoes were later recovered from the incident spot and seized.

- n. It is stated that between 07.08.2023 and 11.08.2023, all the six accused visited Delhi to discuss the plan in detail. It is stated that while discussing the plan, they were fully and consciously aware of their actions; there was a clear reference in the conversations that the disruption of Parliament may even prove fatal if there is retaliatory police action. It is stated that sensing danger Neelam retracted from entering inside the Parliament but pledged complete support to the plan and volunteered to



replicate the actions being carried out inside the Parliament at a nearby location, i.e. outside the Parliament. It was decided that Lalit and Mahesh will make a video of the entire incident and upload it on various internet-based forums and groups for immediately sensationalizing the matter. It is stated that even though the Parliament building is open for visitors during its recess periods also, the plan was to strike right on the day when Parliament would be mourning and observing silence in memory of the 2001 Parliament attack. It is stated that after the meeting all the accused went back to their native places and decided to return back to Delhi in December.

- o. It is stated that on 08.12.2023, Lalit forwarded a digital poster to Amol Shinde which contained a threat call given by a designated terrorist - Gurpatwant Singh Pannu to attack the Parliament building on the anniversary of Parliament Attack.
- p. It is stated that in the run-up to the actual incident the accused started reaching Delhi. It is stated that on 11.12.2023, Sagar reached New Delhi Railway Station at around 4:00 PM from Lucknow by train and went to the address of one Vicky Sharma at H. No. 67, Sector 7, Housing Board Colony, Gurugram. It is stated that Neelam and Amol Shinde also arrived at the same house on the same date. It is stated that in the intervening night of 11- 12.12.2023, Lalit Jha reached the residence of Vicky Sharma at around 02:00 AM from Kolkata, via train. It is stated that all the four accused stayed at the residence of Vicky in Gurugram. It is stated that Manoranjan reached Gurugram on



12.12.2023. It is stated that on 13.12.2023 Sagar Sharma collected the visitor's pass which was eventually used to enter the Parliament. It is stated that on 13.12.2023 at around 10:00 am Manoranjan, Amol Shinde, Lalit Jha, and Neelam Ranoliya reached Nirman Bhawan, New Delhi, traveling by road, using public transport. It is stated that Sagar Sharma and Manoranjan entered the Parliament House building using their visitors' pass and Neelam Ranoliya and Amol Shinde placed themselves outside Parliament Gate Number 2 and 3. It is stated that Lalit Jha was assigned the task of recording the activities of Amol Shinde and Neelam. It is stated that after the incident Neelam and Amol were arrested by Police and Lalit Jha left the spot.

- q. FIR No.142/2023, was registered at Police Station Parliament Street for offences under Sections 186/353/153/452/201/34/120B IPC and Sections 16/18 of the Unlawful Activities (Prevention) Act, 1967 (UAPA) and all the four accused persons were arrested.
- r. The investigation was handed-over to Special Cell on 14.12.2023.
- s. On 15.12.2023 accused Lalit Jha and Mahesh Kumawat (Appellant in CRL.A.388/2025) surrendered before the Police authorities.
- t. After completion of investigation, charge-sheet was filed on 07.06.2024.
- u. The Appellants herein filed several bail applications which were dismissed by the Trial Court. The last such application,



filed by the Appellant in CRL.A.263/2025 was dismissed by the learned Additional Sessions Judge *vide* Order dated 11.09.2024. A similar application, filed by the Appellant in CRL.A. 288/2025 was dismissed by the learned Additional Sessions Judge *vide* Order dated 21.11.2024.

v. It is these orders which have been challenged by the Appellants in the present Appeals.

4. Learned Counsel for the Appellant in CRL.A. 263/2025 states that the allegations against the Appellant do not bring the case within the four corners of UAPA. He has drawn the attention of this Court to Section 15 and 18 of the UAPA which is reproduced as under:-

“15. Terrorist act.—

(1) Whoever does any act with intent to threaten or likely to threaten the unity, integrity, security [economic security,] or sovereignty of India or with intent to strike terror or likely to strike terror in the people or any section of the people in India or in any foreign country,—

(a) by using bombs, dynamite or other explosive substances or inflammable substances or firearms or other lethal weapons or poisonous or noxious gases or other chemicals or by any other substances (whether biological radioactive, nuclear or otherwise) of a hazardous nature or by any other means of whatever nature to cause or likely to cause—

*(i) death of, or injuries to, any person or persons;
or*

*(ii) loss of, or damage to, or destruction of,
property; or*



(iii) disruption of any supplies or services essential to the life of the community in India or in any foreign country; or

[(iii-a) damage to, the monetary stability of India by way of production or smuggling or circulation of high quality counterfeit Indian paper currency, coin or of any other material; or]

(iv) damage or destruction of any property in India or in a foreign country used or intended to be used for the defence of India or in connection with any other purposes of the Government of India, any State Government or any of their agencies; or

(b) overawes by means of criminal force or the show of criminal force or attempts to do so or causes death of any public functionary or attempts to cause death of any public functionary; or

(c) detains, kidnaps or abducts any person and threatens to kill or injure such person or does any other act in order to compel the Government of India, any State Government or the Government of a foreign country or [an international or inter-governmental organisation or any other person to do or abstain from doing any act; or]

commits a terrorist act.

[Explanation.—For the purpose of this sub-section,—

(a) “public functionary” means the constitutional authorities or any other functionary notified in the Official Gazette by the Central Government as public functionary;



(b) “high quality counterfeit Indian currency” means the counterfeit currency as may be declared after examination by an authorised or notified forensic authority that such currency imitates compromises with the key security features as specified in the Third Schedule.]

(2) The terrorist act includes an act which constitutes an offence within the scope of, and as defined in any of the treaties specified in the Second Schedule.

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18. Punishment for conspiracy, etc.—Whoever conspires or attempts to commit, or advocates, abets, advises or [incites, directs or knowingly facilitates] the commission of, a terrorist act or any act preparatory to the commission of a terrorist act, shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine.”

5. He states that since none of the acts done by the Appellant falls within the scope of Section 15 or 18 of the UAPA, these activities cannot come within the ambit of conspiracy or an attempt to commit, or advocate, abet, advise or incite, directly or knowingly facilitate the commission of a terrorist act.

6. He, therefore, states that since the provisions of UAPA are not attracted, the Appellant is entitled to grant of bail as no prima facie case can be said to be made against her. Learned Counsel for the Appellant has also drawn the attention of this Court to the pamphlets which were seized inside the Parliament to state that the pamphlets do not indicate that it was intended



to threaten the sovereignty, integrity of India or divide the country. He states that the material on the pamphlets was rather patriotic in nature. The said pamphlet reads as under:

"अभी भी जिसका खून न खौला, वो खून नही पानी है, जो
देश के काम न आए, वो बेकार जवानी है"

English translation reads as under:

"Even now, if your blood does not boil, it's not blood, but water; and if your youth is not dedicated to the service of the nation, it is wasted youth".

It is stated by the learned Counsel for the Appellant that the quote written on the pamphlet was given by Freedom Fighter Chandra Shekhar Azad.

7. It is stated by the learned Counsel appearing for the Appellant in CRL.A. 388/2025 that the Appellant was nowhere near the Parliament on the date of the incident and goes on to state that the Appellant was not even in territory of Delhi. He states that as per the call detail records of the Appellant, on the day of the incident, the Appellant was in Rajasthan. Learned Counsel for the Appellant also draws the attention of this Court to the chargesheet to state that the Appellant did not participate in the incident. He states that he was not even a part of the last two meetings organized by Manoranjan D. to finalise the details.

8. Attention of this Court has also been drawn to the statement given by the Lok Sabha Secretariat wherein in an answer to a question as to whether any MP/staff or any other member of the House suffered any injury during the incident, it was reported that no case of injury to any MP/staff of the Parliament or their hospitalization or medical treatment was reported to the



Welfare Branch of the Parliament. The learned Counsel contends that it was only a protest/demonstration which does not attract any of the provisions of UAPA, which would disentitle the Appellant to grant of bail.

9. *Per contra*, learned ASG vehemently contends that the accused had specifically chosen the date of 13th December as on that day all the Members of Parliament would be present in the Parliament to pay homage to the martyrs who laid their life in the Parliament attack which took place on 13.12.2001. He states that the yellow smoke was noxious in nature and had chemicals in it which caused injury to the MPs inasmuch as the eyes of the MPs were burning. He also states that because of the incident, the MPs were terrorised. He states that the purpose of the incident was to overawe the Government. He further states that the Parliament is not a place to stage demonstrations and the choice of 13th December to commit the incident inside the Parliament would mean that it was meant to strike terror. He further states that on 13.12.2023, the Parliament was on high alert as a message had been received that terrorist Gurpatwant Singh Pannu was planning to attack the Parliament House on that day. He states that this is not a case of a prank gone wrong or a case of a simple demonstration or protest. He states that the incident was an attempt to overawe the Government using criminal force and, therefore, the Appellants have committed a terrorist act under Section 15(1)(b) of the UAPA. Learned ASG places reliance on Section 350 of the IPC which defines criminal force.

10. Heard the learned Counsels appearing for the Appellants and the learned ASG appearing on behalf of the State.

11. The facts of the case reveals that on 13.12.2023, after paying homage to the martyrs of terrorist attack which took place on 13.12.2001 in the



Parliament of India, the regular proceedings of Lok Sabha began and at about 01:01 PM, two persons jumped from the public gallery No. 4, inside the Lok Sabha main hall and started moving towards the Well of Lok Sabha by jumping over empty seats, throwing pamphlets and shouting slogans. The persons were later identified as Manoranjan and Sagar Sharma. They both took out canister shaped objects and released its contents in the Lok Sabha Central Hall because of which the whole Hall was engulfed in thick, yellow smoke coming out from the canister. At about the same time, the Appellant in CRL.A.263/2025 along with one Amol Shinde, who were outside the Parliament building, committed the same act, which was photographed by the media personnel. The incident outside the Parliament building was video graphed by accused Lalit Jha. Manoranjan, Sagar, Amol Shinde and the Appellant in CRL.A.263/2025 were arrested and were produced before the Court. Lalit Jha and the Appellant in CRL.A.388/2025 surrendered before the Police Authorities on 15.12.2025.

12. Material on record reveals that the plan to stage a protest inside the Parliament was hatched in February, 2022 and meetings were organized by Sagar Sharma at the behest of Manoranjan. It is stated that in the said meeting, Manoranjan proposed the idea of disruption of the present system of Constitutionally ordained governance by creating chaos and disruption in the Parliament which will help them gain media attention. Material on record further reveals that in the second meeting, discussions were held for inclusion of a woman member to bring in gender equality towards the greater goal of disrupting the Parliament. Material on record reveals that after the second meeting, only Manoranajn, Sagar, Amol, Lalit and Mahesh continued with the plan whilst everyone else quit. Appellant in



CRL.A.263/2025 came in touch with the accused and joined the group. The facts of the case further reveals that meetings were held from 07.08.2023 to 11.08.2023, all the six accused visited Delhi to discuss the plan and micro-details of the plan were finalised. The idea of the accused was to disrupt the Parliament.

13. The Status Report reveals that the Appellant - Neelam Ranolia in CRL.A.263/2025 refused to enter the Parliament but pledged complete support to the plan and volunteered to replicate the actions being carried out inside the Parliament at a nearby location, i.e. outside the Parliament. Lalit and Mahesh were to make the video of the incident and upload it on various internet-based forums and groups for immediately sensationalizing the matter. The plan was put in action.

14. The short question which arises for consideration is as to whether the Appellants herein should be granted bail or not under UAPA.

15. The parameters of bail under Section 43(D)(5) of the UAPA has now been crystallized by the Apex Court in a number of judgments. In Kekhriesatuo Tep v. NIA, (2023) 6 SCC 58, the Apex Court has held that while deciding a bail petition filed by the accused against whom offences under Chapters IV and VI of the said Act have been made, the court has to consider as to whether there are reasonable grounds for believing that the accusation against the accused is *prima facie* true. The Apex Court has held that the words used in Section 43(D)(5) of UAPA are “*prima facie*” while the words used in TADA, MCOCA and NDPS Act are “*not guilty*”. The Apex Court has held that the degree of satisfaction required in a case of “*not guilty*” under TADA, MCOCA and NDPS is much stronger than the



satisfaction required in a case where the words used are “*prima facie*” in UAPA.

16. In NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1, the Apex Court has held as under:

"23.

By its very nature, the expression “prima facie true” would mean that the materials/evidence collated by the investigating agency in reference to the accusation against the accused concerned in the first information report, must prevail until contradicted and overcome or disproved by other evidence, and on the face of it, shows the complicity of such accused in the commission of the stated offence. It must be good and sufficient on its face to establish a given fact or the chain of facts constituting the stated offence, unless rebutted or contradicted. In one sense, the degree of satisfaction is lighter when the Court has to opine that the accusation is “prima facie true”, as compared to the opinion of the accused “not guilty” of such offence as required under the other special enactments. In any case, the degree of satisfaction to be recorded by the Court for opining that there are reasonable grounds for believing that the accusation against the accused is prima facie true, is lighter than the degree of satisfaction to be recorded for considering a discharge application or framing of charges in relation to offences under the 1967 Act

.....

24. A priori, the exercise to be undertaken by the Court at this stage—of giving reasons for grant or non-grant of bail—is markedly different from discussing merits or demerits of the evidence. The elaborate examination or dissection of the evidence is not required to be done at this stage. The Court is merely expected to record a finding on the basis of broad probabilities regarding the involvement of the



accused in the commission of the stated offence or otherwise."

(emphasis supplied)

17. Similarly, in Vernon v. State of Maharashtra, (2023) 15 SCC 56, the Apex Court, after making reference to Watali (*supra*) has held as under:

*"46. In Zahoor Ahmad Shah Watali [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , it has been held that the expression "prima facie true" would mean that the materials/evidence collated by the investigating agency in reference to the accusation against the accused concerned in the charge-sheet must prevail, unless overcome or disproved by other evidence, and on the face of it, materials must show complicity of such accused in the commission of the stated offences. What this ratio contemplates is that on the face of it, the accusation against the accused ought to prevail. In our opinion, however, it would not satisfy the prima facie "test" unless there is at least surface-analysis of probative value of the evidence, at the stage of examining the question of granting bail and the quality or probative value satisfies the court of its worth. In the case of the appellants, contents of the letters through which the appellants are sought to be implicated are in the nature of hearsay evidence, recovered from co-accused. Moreover, no covert or overt terrorist act has been attributed to the appellants in these letters, or any other material forming part of records of these two appeals. **Reference to the activities of the accused are in the nature of ideological propagation and allegations of recruitment.** No evidence of any of the persons who are alleged to have been recruited or have joined this "struggle" inspired by the appellants has been brought before us. Thus, we are unable to accept NIA's contention that the appellants have*



committed the offence relating to support given to a terrorist organisation.

*47. The second set of materials include the witness statements. **There also no covert or overt act of terrorism has been attributed to the appellants by the three witnesses.** We have dealt with the summary of their statements earlier in this judgment. We have also observed earlier that mere possession of the literature, even if the content thereof inspires or propagates violence, by itself cannot constitute any of the offences within Chapters IV and VI of the 1967 Act. "*

(emphasis supplied)

18. In a recent Judgment of the Apex Court in Gurwinder Singh v. State of Punjab, (2024) 5 SCC 403, the Apex Court, while explaining the Judgement in Watali (*supra*), has observed as under:

"Test for rejection of bail : Guidelines as laid down by Supreme Court in Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383]

31. In the previous section, based on a textual reading, we have discussed the broad inquiry which courts seized of bail applications under Section 43-D(5) of the UAP Act read with Section 439CrPC must indulge in. Setting out the framework of the law seems rather easy, yet the application of it, presents its own complexities. For greater clarity in the application of the test set out above, it would be helpful to seek guidance from binding precedents.

32. In this regard, we need to look no further than Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] which has laid down elaborate guidelines on the approach that



courts must partake in, in their application of the bail limitations under the UAP Act. On a perusal of paras 23 to 24 and 26 to 27, the following 8-point propositions emerge and they are summarised as follows:

32.1.Meaning of “prima facie true” : (Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , SCC p. 24, para 23)

On the face of it, the materials must show the complicity of the accused in commission of the offence. The materials/evidence must be good and sufficient to establish a given fact or chain of facts constituting the stated offence, unless rebutted or contradicted by other evidence.

32.2.Degree of satisfaction at pre charge-sheet, post charge-sheet and post-charges — compared : (Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , SCC p. 28, para 26)

“26. ... once charges are framed, it would be safe to assume that a very strong suspicion was founded upon the materials before the Court, which prompted the Court to form a presumptive opinion as to the existence of the factual ingredients constituting the offence alleged against the accused, to justify the framing of charge. In that situation, the accused may have to undertake an arduous task to satisfy the Court that despite the framing of charge, the materials presented along with the charge-sheet (report under Section 173CrPC), do not make out reasonable grounds for believing that the accusation against him is prima facie true. Similar opinion is required to be formed by the Court whilst considering the prayer for bail, made after filing of the first report made under Section 173 of the Code, as in the present case.”



32.3.Reasoning, necessary but no detailed evaluation of evidence : (Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , SCC p. 27, para 24)

“24. ... the exercise to be undertaken by the Court at this stage—of giving reasons for grant or non-grant of bail—is markedly different from discussing merits or demerits of the evidence. The elaborate examination or dissection of the evidence is not required to be done at this stage.”

32.4.Record a finding on broad probabilities, not based on proof beyond doubt : (Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , SCC p. 27, para 24)

“The Court is merely expected to record a finding on the basis of broad probabilities regarding the involvement of the accused in the commission of the stated offence or otherwise.”

32.5.Duration of the limitation under Section 43-D(5) : (Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , SCC p. 27, para 26)

“26. ... the special provision, Section 43-D of the 1967 Act, applies right from the stage of registration of FIR for the offences under Chapters IV and VI of the 1967 Act until the conclusion of the trial thereof.”

32.6.Material on record must be analysed as a “whole”; no piecemeal analysis : (Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , SCC p. 28, para 27)



“27. ... the totality of the material gathered by the investigating agency and presented along with the report and including the case diary, is required to be reckoned and not by analysing individual pieces of evidence or circumstance.”

32.7.Contents of documents to be presumed as true : (Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , SCC p. 28, para 27)

“27. ... The Court must look at the contents of the document and take such document into account as it is.”

32.8.Admissibility of documents relied upon by prosecution cannot be questioned : (Watali case [NIA v. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] , SCC pp. 24 & 28, paras 23 & 27)

The materials/evidence collected by the investigation agency in support of the accusation against the accused in the first information report must prevail until contradicted and overcome or disproved by other evidence.... In any case, the question of discarding the document at this stage, on the ground of being inadmissible in evidence, is not permissible. "

19. Applying the law laid down by the Apex Court, the established facts of the case are that the accused chose the Parliament to raise their voice. The Parliament represents the very basis of our Democracy. It cannot be said that what the accused have done is a legitimate form of protest or demonstration. At the same time, the Appellants have not propagated any movement which can be said to be against the interest of the nation. The activities of the



Appellants are of the nature of propagation of ideological messages and in the opinion of this Court *prima facie* do not constitute a terrorist act and does not satisfy the ingredients of Section 15 or 18 of UAPA Act.

20. This Court has also gone through the FSL report dated 27.05.2025. The opinion of the FSL Report reads as under:

"On the basis of ion chromatography analysis of the exhibits, it is evident that the exhibits marked as NFSU/CoE-NDPS/CASE/GCA/01/2024/01 to NFSU/CoE-NDIPS/CASE/GCA/01/2024/07, NFSU/COE-NDPS/CASE/GCA/01/2024/10 and NFSU/CoE-NDPS/CASE/GCA/01/2024/12; contains residual characteristic of smoke bomb compositions, such as chloride, nitrate, sulphate, potassium, and ammonium ions.

The presence of these ions suggests that the materials commonly used to manufacture smoke bombs, such as potassium nitrate and ammonium chloride, act as oxidizers and reactants in the production of smoke. Additionally, the detection of sulphate ions may indicate the presence of substances like sulphur or sulphur-containing compounds, which contribute to the smoke's density and opacity.

Therefore, the submitted exhibits may act as explosives. "

21. At this juncture, this Court is not making any comment on the opinion of the FSL that the canisters used by the accused persons could have acted as explosives as this would be a matter of trial. The smoke canisters have been purchased from the market and are freely available. Had these canisters generated any substance which can cause death or serious injury, they would not be freely available in the market. This Court can take judicial notice that



such canisters are used in IPL games, cricket matches, and in various events and festivals like weddings, parties, Holi etc. The use of canisters which emitted yellow smoke alone does not raise a *prima facie* case against the Appellants and as to whether those canisters could have acted as explosives or not will be tested in trial. The quantity of noxious substance in the canisters and the propensity to cause injury are also a matter of trial. Further, the Appellant - Mahesh Kumawat in CRL.A. 388/2025 was not in Delhi at the time of offence and the Appellant - Neelam Ranolia in CRL.A.263/2025 was not inside the Parliament building. The effect of smoke of the canister in open air is to be decided in trial and at this juncture, it cannot be said that the smoke from canister can cause any hazardous health injury when used in open air and anyway the same would be decided in trial.

22. Undoubtedly, the place where the Appellants chose to protest is the Indian Parliament which is not the most appropriate place to stage the demonstration. However, the Appellant in CRL.A. 263/2025 did not enter the Parliament. The material on record at this juncture shows that she was not inclined to enter into the Parliament and chose to protest outside the Parliament which is a major distinguishing factor from those persons who entered inside the Parliament. The pamphlets which have been seized from the Appellant do not indicate that it abets, advises or facilitates the commission of a terrorist act. There is nothing on record at this juncture to show that the Appellants before this Court who have not entered the Parliament, intended to threaten the unity, integrity, security or sovereignty of the country or have committed the act with intent to strike terror. Nor it can be said that the effect of the act is likely to strike terror in the mind of people or a section of people in India or any foreign country.



23. At this juncture, the material on record indicates that at least the Appellant in CRL.A. 263/2025, who was outside the Parliament, who had opened the smoke canister, refused to go inside the Parliament and the Appellant in CRL.A. 388/2025, who was not in Delhi and who had not attended the last two meetings, has not done any act satisfying the ingredients of Section 15 or 18 of the UAPA. There is complete lack of material at this juncture of loss of life, bodily injury or significant property damage. On the contrary, the statement given by the Lok Sabha Secretariat categorically state that no injury occurred during the incident and the Appellant in CRL.A.263/2025, a lady who was outside the Parliament, cannot be said to have committed any act which could have resulted in loss of life, bodily injury or significant property damage. The protest is more symbolic rather than giving apprehension of substantial threat or having been done with terrorist intent.

24. This case at this juncture appears to be a case of protest and political dissent. Even though the choice and the place of the protest is highly deprecable, it cannot be said that ingredients of UAPA are attracted while considering the issue of grant of bail. Much has been argued by the State regarding the choice of date. This would be a matter of trial. However, even assuming that the date was chosen when there was a threat perception, at this juncture, it can be only said that attempt was to sensationalise the event to gain attention of people and get mileage from the incident. However, this fact alone will not deter this Court from granting bail at this juncture. This Court is only going into the parameters of Section 43(D)(5) of the UAPA to decide whether this is a fit case for grant of bail to the Appellants.



25. In the opinion of this Court, the facts of the case do not attract the parameters of UAPA and, therefore, this Court is inclined to grant bail to the Appellants on the following conditions:

- a) The Appellants shall furnish securities in the sum of Rs.50,000/- each with two sureties of the like amount to the satisfaction of the Trial Court.
- b) The Appellants are directed not to give any interviews or hold any press conference or address media.
- c) The Appellants are directed not to post anything on any social media/e-media platform related to the incident.
- b) The Appellants are directed to continue to reside at the address given in the Memo of Parties before this Court and in case there is any change in the address of the Appellants, the Appellants are directed to intimate the same to the Investigating Officer.
- c) The Appellants are directed not to leave the city of Delhi without prior permission of the concerned Court.
- d) The Appellants are directed to report to the local police station on every Monday, Wednesday and Friday at 10:00 AM and the Appellants shall be released within an hour after completing the formalities;
- e) The Appellants are directed to give their mobile numbers to the Investigating Officer and keep them operational at all times;
- f) The Appellants shall not, directly or indirectly, tamper with evidence or try to influence the witnesses in any manner;



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- g) The Appellants shall attend all the Court proceedings.
 - h) In case it is established that the Appellants have violated the conditions of bail, the bail granted to the Appellants shall stand cancelled forthwith.
26. The appeals are disposed of, along with pending application(s), if any.
27. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

HARISH VAIDYANATHANSHANKAR, J

JULY 02, 2025

Rahul