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

CNR No. DLHC010305012026

+ **BAIL APPLN. 2700/2026**

SALAM

.....Applicant

Through: Mr. Bipin Kr. Jha and Ms. Komal Jha, Advs.

versus

STATE (GOVT. OF NCT DELHI)

...Respondent

Through: Mr. Raghuinder Verma, APP for the State

Ms. Anushka Arora, Standing Counsel (DHCLSC) for LR's/ kith & kins of deceased

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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01.09.2026

1. By virtue of the present application under *Section 483* read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks grant of regular bail in proceedings arising out of FIR No.516/2021 dated 22.08.2021 registered at PS: Nand Nagri under *Sections 302/324/201* of the Indian Penal Code, 1860.

2. *Succinctly put*, as per prosecution, the applicant murdered the father of the complainant as also caused injuries to the complainant on the night of 21.08.2021 due to his enmity with her brother, who earlier used to work for the applicant at his bread/ roti shop, before leaving and opening his own bread/ roti shop. Immediately before the incident took place, the applicant had also threatened the father and brother of the complainant on



the telephone upon their demanding their pending dues/ wages/ loan, etc. owed by the applicant amounting to Rs.75,000/-, whereafter he entered their house and committed the above acts using a knife.

3. In this factual backdrop, this Court has heard learned counsel for the applicant, learned APP as well as learned counsel for the LRs/ kith and kins of the deceased, who has also handed over the written synopsis, which is taken on record, as also gone through the materials on record.

4. As evinced therefrom, the present case involves grave and heinous offences wherein injuries were repeatedly inflicted by the applicant using a knife upon the father of the complainant leading to his death, as well as upon the complainant herself when she tried to intervene, which is corroborated by the PMR/ MLC recording *10 ante-mortem injuries* on the deceased as well as injuries on the complainant. Further, the applicant allegedly threatened the brother and father of the complainant for demanding repayment of their dues/ wages/ loan, etc., that too just prior to the incident, which also casts a shadow of premeditation *qua* the incident.

5. All the above seems to have been a pre-meditated act on the part of the applicant, as a result of some old feud and/ or rivalry.

6. Further, as per facts herein, recovery of the weapon of offence, i.e. the knife, was at the instance of the applicant, which is also duly corroborated by the CCTV footages showing the applicant carrying the same for disposal in blood stained clothes.

7. Lastly, though learned counsel for applicant seeks to rely upon certain eye-witnesses turning hostile before the learned Trial Court, however, since what has been held by the Hon'ble Supreme Court in ***Satish Jaggi vs. State of Chattisgarh & Ors.:2007 (11) SCC 195***, the



same is a matter of trial and cannot be considered by this Court at this stage.

8. Similarly, though the applicant is stated to be facing incarceration since the last *five years*, however, his prolonged incarceration alone cannot be taken as the sole ground for granting him regular bail, especially, considering the factual matrix involved which is *prima facie* case against the applicant considering heinousness of the offences. In the considered view of this Court, release of the applicant on regular bail may lead to tampering with evidence and/ or influencing the witnesses and/ or derailing the evidence and/ or hampering with the investigation.

9. As such, taking a cumulative view of the facts and circumstances involved, the applicant is not able to make out a case for grant of regular bail at this stage.

10. Accordingly, the present application is dismissed.

11. Needless to say, expression(s) of views on merits, if any, are purely for the purposes of adjudicating the present application and shall have no bearing on the overall proceedings involved.

SAURABH BANERJEE, J

SEPTEMBER 1, 2026/rr