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

CNR No. DLHC010327782026

+ **BAIL APPLN. 2907/2026**

CHAMAN

.....Petitioner

Through: Mr. Harsh Hardy, Advocate.

versus

THE STATE SHO PS KHAJURI KHAS

.....Respondent

Through: Mr. Shoaib Haider, APP for State.
Mr. Ajay, the complainant through
VC.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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19.08.2026

1. The applicant by way of the present application seek for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('**BNSS**') in connection with FIR No. 267/2025 dated 21.06. 2025 for offences under Section 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('**BNS**') registered at Police Station Khajuri Khas, North-East Delhi.
2. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated. The applicant has undergone 1 year, 1 month and 22 days' incarceration as on 12.08.2026. It is further



submitted the charges have not yet been framed and the trial will take long time in its competition. It is also pointed out that there are no criminal antecedents of the applicant except one other FIR with respect to the same incident at the instance of the alleged victim.

3. The aforesaid submissions are opposed by learned APP and the complainant/Ajay who appeared on video conferencing.

4. I have considered the submissions made by learned counsel for the parties and have perused the record.

5. A perusal of the status report would indicate that on 21.06.2025, the applicant and a girl were standing outside the house of the injured. It is stated herein, that they were arguing, thereafter the complainant and his family members tried to intervene. The applicant got annoyed by the said intervention. Thereafter, it is stated that the applicant along with his friend came back and, at the instance of applicant, the injuries were caused on the chest of Ajay by *Suan* (Poker). After investigation, the charge-sheet has been filed. The prosecution has brought on record the CCTV footage and the other material. However, there is no medical report indicating the nature of the injuries.

6. The parameters governing the grant of bail have been succinctly laid down in ***Prasanta Kumar Sarkar v. Ashis Chatterjee***,¹ wherein the Supreme Court held that while considering an application for bail, the Court is required to balance the nature of the accusation, the severity of punishment, the possibility of the accused fleeing from justice, likelihood of tampering with evidence or influencing witnesses, antecedents of the accused and the overall interests of justice



7. The Supreme Court in ***Sanjay Chandra v. CBI***,² has observed that the object of bail is to secure the attendance of the accused during trial and that pre-trial detention should not assume a punitive character. These observations were expounded as follows:

“21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it is required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.”

8. Further, in ***Satender Kumar Antil v. CBI***,³ the Supreme Court has emphasised that prolonged incarceration pending trial, particularly where the trial is not likely to conclude within a reasonable period, has to be viewed in the light of the guarantee of personal liberty under Article 21 of the Constitution.

9. The applicant has already suffered more than one year of incarceration and has no criminal antecedents. The custodial interrogation of the applicant is not required, and there is no other criminal case except the FIR no. 268/2025 which is stated to be with respect to the same incident filed at the instance of the victim. The charges have not yet been framed and, the trial will take enough time in its completion.

10. In view of the aforesaid facts and circumstances, the applicant is directed to be released on regular bail on such conditions as may be imposed by the concerned trial Court.

¹ (2010) 14 SCC 496.

² (2012) 1 SCC 40.

³ (2022) 10 SCC 51.



11. The application stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

AUGUST 19, 2026

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