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

+ **BAIL APPLN. 183/2025**

RASHID @ SAHIL @ SHAHIDPetitioner

Through: **Mr. Shobhit Gupta, Advocate.**

versus

THE STATE AND ANR NCT OF DELHIRespondent

Through: **Mr. Ajay Vikram Singh, APP with SI
Deepak Kumar, PS Jahangir Puri.**

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

25.03.2025

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1. This is an application filed under Section 482 BNSS (under Section 439 Cr.P.C) for grant of regular bail in case FIR No. 540/2023, under Section 304 IPC, P.S. Jahangirpuri, Delhi on behalf of the applicant/accused-Rashid @ Sahil @ Shahid.
2. Learned counsel for the applicant submits that investigation is complete and charge sheet has already been filed. All the material witnesses had since been examined. The prosecution is solely relying on the interested testimony of PW-1 wife of the deceased as the independent witnesses, namely, PW-3 Smt. Santosh and PW-4 Abdullah Khan have turned hostile and have not supported the prosecution story.
3. It is further submitted that petitioner neither had any motive nor any intention to kill the deceased and alleged incident was just a result of minor altercation.



4. It is further submitted that the applicant has clean antecedents and has never been convicted in any other criminal case and is in custody since the date of his arrest i.e., 21.07.2023.
5. The bail application has been opposed by learned APP stating that the trial is at the fag end. All the witnesses have already been examined. Only the two investigating officers of this case are yet to be examined. It is further submitted that the applicant is previously involved in case FIR No. 144/2019 under Section 160 IPC, P.S Jahangir Puri which was later on disposed of in Lok Adalat on 15.07.2019. It is further submitted that PW-1 Kanti Devi who is the eye witness of the case has duly supported the prosecution case. It is argued that the allegations against the applicant/accused are grave and serious in nature and he is not entitled for grant of bail at this stage.
6. The prosecution case is that the deceased was selling onions on the *rehdi* in Subzi Mandi. The applicant stopped e-rickshaw in front of the *rehdi* of the victim. Victim asked the applicant to remove the e-rickshaw from the middle of the road. Upon this, the applicant started abusing the victim. He pushed him on the ground and started beating him with fist and kick blows resulting in his death.
7. Admittedly, it is a case of road rage. The incident took place due to argument on account of improper parking of e-rickshaw by the applicant in front of the *rehdi* of the deceased. No weapon of offence was used. The applicant was given kicks and fist blows after pushing him on the road.
8. All the material witnesses have since been examined and only Investigating Officers remain to be examined. Thus there is no possibility of tampering with the evidence. The applicant is stated to be in custody since 21.07.2023.



9. Keeping in view the entire facts and circumstances, in the light of the submissions made, the applicant/accused is admitted to bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the learned trial court concerned/Duty Magistrate subject to the following conditions:

- (a) The applicant shall share his address and mobile phone with the Investigating Officer and shall always keep his mobile in working condition.
- (b) The applicant shall not threaten or intimidate the witnesses and shall not even try to contact them.
- (c) The applicant shall appear before the trial court as and when directed and shall not leave the NCR without prior permission of the trial court.

10. The bail application is disposed of accordingly.

RAVINDER DUDEJA, J

MARCH 25, 2025/ib