



\$~6

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

+ **BAIL APPLN. 187/2025**

VANSH

.....Petitioner

Through: Mr. Ajay K. Singh, Advocate.
versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State.
SI Rahul Malik, PS Kotwali.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.03.2025

%

1. This hearing has been done through hybrid mode.
2. The present application under Section 483 of the BNSS seeks regular bail in case FIR No. 951/2024, under Section 109(1)/3(5) of the BNS, 2023 and Sections 25/27 of the Arms Act, 1959 registered at P.S. Kotwali, Delhi.
3. The case of the prosecution against the present applicant, as per the status report dated 10.03.2025 authored by Insp. Jatan Singh, SHO P.S. Kotwali, is as under:-

“The facts of the case are that the above case was registered on the statement of complainant Nitin s/o Rinku r/o H.No. 2723 Chowk Ral Ji, Roshan Pura, Chandani Chowk, Kotwali, Delhi and investigation was taken by the 10. On night of 20-21/10/24, complainant namely Mr. Nitin s/o Rinku r/o 2723 chowk Rai Ji, Roshan Pura Chandni Chowk was sitting in his Gali when around 12.30 PM people known to the complainant, Vansh(Applicant) & Kapil came on a bullet motorcycle no DL1355-1432 along with 2 unknown people on a scooty came and threatened the complainant with dire consequences related to previous animosity. In the meantime, Kapil pointed a pistol at the complainant and fired, but the complainant ducked down and was saved. After that kapil tried to fire more rounds in air but the pistol jamed and could not fire, after that the accused Kapil fired one round in the air after that



accused Vansh (Applicant) also pointed a katta at the complainant to threaten him. After hearing the gunshot the people living nearby reached the spot due to which all the accused fled from the spot leaving behind the above bullet motorcycle. The incident happened with the complainant is captured in the CCTV footage and present applicant accused Vansh is clearly visible in the CCTV footage.

During the course of investigation Applicant/accused Vansh s/o Deepak r/o H.No. 2023 Barf Wali gali , Kinari Bazar, Chandani Chowk, Delhi was arrested on 21.10.24 in the present case and weapon of offence country made pistol was recovered from the possession of Applicant/accused Vansh and he disclosed that accused Kapil had fired a shot at the complainant. Section U/s 25 Arms Act has been added in the present case FIR.”

4. Learned counsel appearing on behalf of the applicant submits that the role assigned to the present applicant was that he pointed the *desi katta* (country made pistol) at the complainant, however, the CCTV footage does not reflect the same. It is submitted that the chargesheet has been filed in the present case and the applicant is not involved in any other offence. It is further stated that the applicant is aged about 20 years and no useful purpose will be served in keeping him in further judicial incarceration.

5. *Per contra*, learned APP for the State submits that CCTV footage shows that the applicant was in possession of the *desi katta*. It is further submitted that the applicant was present at the spot along with other co-accused person, who had fired the shot in the air. It is pointed out that he was previously involved in another FIR, however, the same was compromised, as per the status report filed by the Investigation Officer.

6. Heard learned counsel for the parties and perused the record.

7. The case of the complainant is that there was a previous enmity between Kapil (co-accused) and him. Investigation in the present FIR is complete and chargesheet has been filed before the Court of competent



jurisdiction. The application is in custody since 21.10.2024.

8. In totality of the facts and circumstances of the case, the present application is allowed. The applicant is directed to be released on bail, on his furnishing a personal bond of Rs. 25,000/- with one surety of like amount, to the satisfaction of the learned Trial Court/Link Court, further subject to following conditions:

- i. The applicant shall not leave India without prior permission of the learned Trial Court.
 - ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
 - iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
 - iv. The applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times.
 - v. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witness in any manner.
 - vi. The applicant shall report at the concerned police station on every 2nd and 4th Monday of the month at 04:00 PM and the concerned officer is directed to release him by 05:00 PM after recording his presence and completion of all the necessary formalities.
9. The application is allowed and disposed of accordingly.
10. Pending application(s), if any, also stand disposed of.
11. Needless to state that, nothing mentioned hereinabove, is an opinion on the merits of the case and any observations made herein are only for the purpose of the present bail application.



12. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.
13. Order be uploaded on the website of this court *forthwith*.

MARCH 20, 2025/sn

AMIT SHARMA, J

Click here to check corrigendum, if any