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

+ **BAIL APPLN. 651/2025**

SOORAJ

.....Petitioner

Through: Mr. Suraj Prakash Sharma, Advocate.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP for the State
along with Inspector Sudhir Rathi.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

16.07.2025

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1. By way of the present application, the applicant seeks grant of regular bail in FIR bearing no. 887/2022, registered at Police Station Narela Industrial Area, Delhi for the commission of offences under Sections 302/34 of the Indian Penal Code, 1860 (hereafter '*IPC*').
2. Briefly stated, the facts of the present case are that on the intervening night of 25/26.11.2022, an information regarding admission of one Sushil by his wife Sunita was received at Police Station Narela Industrial Area from M.V Hospital and the MLC of the victim was collected. The concerned Investigating Officer (IO) had reached the aforesaid Hospital and had met the wife of the victim, who had informed that her husband is sleeping and the statement would be given later. On 26/27.11.2022, beat staff had informed the IO about the death of Sushil Kumar. At that time, Sunita had informed that her husband was beaten on 25.11.2022, in front of H. No. C-



321, Phase-I, Metro Vihar and had told that she would give her statement later on. On 27.11.2022,. Sunita had given her statement in which she stated that on 25.11.2022, a quarrel had taken place between Shibu, Sooraj (present applicant), Raj Kumar, Karan and Lucky and all of them had given beatings to her husband by kicks and punches. Resultantly, she had taken her husband to Hospital but unfortunately, he had succumbed to the injuries. On the basis of the statement of Sunita, the MLC of the victim and circumstances narrated above, the present FIR came to be registered and therefore, all the accused persons were arrested.

3. The learned counsel appearing for the applicant states that the applicant has been falsely implicated in the present case.

4. In the present case, on instructions from the Investigating Officer (IO), it is stated by the learned APP for the State that the eye-witness/complainant has turned hostile and it is also not disputed that the present applicant was not visible in the CCTV footage, which was seized during investigation.

5. Therefore, in view of the above statement made by the learned APP for the State, this Court is inclined to grant regular bail to the applicant herein, on his furnishing personal bond in the sum of Rs 15,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a passport, he shall surrender the same to the concerned trial court.
- ii) In case of change of residential address/contact details, the



applicant shall promptly inform the same to the concerned Court and IO/SHO concerned.

iii) The applicant shall appear regularly before the learned Trial Court, unless exempted.

iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.

6. Accordingly, the present bail application stands allowed and is disposed of.

7. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

8. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 16, 2025/A