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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 866/2025**

KARAN SHARMA @ BILLAApplicant
Through: Mr. Tarun Gahalot &
Mr. Akshay, Advs.

versus

THE STATE (NCT OF DELHI)Respondent
Through: Ms. Richa Dhawan, APP
for the State
Inspector Harkesh Meena,
PS- M. Park

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
06.08.2025

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1. The present application is filed seeking regular bail in FIR No. 306/2024 ('FIR') dated 19.06.2024, registered at Police Station Mahendra Park for offence under Sections 302/34 of the Indian Penal Code, 1860.
2. The FIR was registered pursuant to a complaint made by one person, namely, Vicky. It is alleged that on 19.06.2024, when the complainant along with his friend Trishik (victim), were going to have food, and had reached near the park situated near their house, they saw three accused persons being CCL – "P", "V", "K" already standing near the park. The applicant is alleged to be standing at some distance from the three accused persons.
3. It is alleged that the applicant on seeing the complainant and the victim instigated the three accused persons being CCL – "P", "V", "K" who are stated to be juveniles, to attack the victim. It is alleged that three juveniles, on the instigation of the present



applicant, thereafter attacked the victim which led to the victim's death.

4. The applicant was arrested on 20.06.2024 and has been in custody since then.

5. The learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He submits that the applicant has been arrested solely on the statement of the complainant who had a prior enmity with the applicant.

6. He submits that, even otherwise, there is no allegation against the applicant that he was the one who had caused the fatal injury to the victim. He submits that the applicant also cannot be seen in any of the CCTV footages procured by the prosecution. He further submits that the sole eyewitness/complainant has already been examined before the learned Trial Court and that the complainant, in his deposition, has not stated that the applicant was involved in the commission of the offence in any manner.

7. *Per contra*, the learned Additional Public Prosecutor for the State vehemently opposes the grant of any relief to the applicant. She submits that the allegation against the applicant is that he instigated the assailants, who are juveniles, to commit the alleged offence.

8. I have heard the counsel and perused the record.

9. It is pointed out that the sole eye witness, who is also the complainant, has already been examined. Undisputedly, the sole eye witness, in his deposition, has not stated that the applicant was involved in any manner whatsoever. He deposed that the three juveniles were the ones who, on seeing the complainant and the victim, had attacked them and had caused injuries to the



victim with a knife.

10. The complainant, thus, has not supported the case of the prosecution insofar as the involvement of the applicant is concerned.

11. It is pertinent to note that the applicant was arrested on 20.06.2024 and has been in custody since then. Whether the applicant was complicit in the commission of the offence or not would be examined during the course of trial. However, at this stage, considering the material presented, this Court is of the opinion that the applicant has *prima facie* made out a case for grant of bail.

12. Therefore, without commenting further on merits of the case, this Court considers it apposite to grant bail to the applicant.

13. The applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹20,000/- with two sureties of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- b. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court;
- c. The applicant shall appear before the learned Trial Court as and when directed;
- d. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;



- e. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

14. In the event of there being any FIR/DD entry/complaint lodged against the applicant, it would be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

15. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

16. The bail application is allowed in the aforementioned terms.

AMIT MAHAJAN, J

AUGUST 6, 2025

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