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

+ **BAIL APPLN. 891/2025**

ANSHUL ANTIL

.....Petitioner

Through: Mr. Ajay Sharma and Mr. Jatin Maan,
Advocates

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with Ms. Puja Mann and Mr.
Vipin Kumar Yadav, Advocates

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

24.07.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 0058/2023, registered at Police Station Baba Haridas Nagar, Delhi, for the offences punishable under Sections 302/201/120B/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
2. Briefly stated, the facts of the present case are that on 04.02.2023, a PCR call was received at P.S BHD Nagar vide GD No. 111A regarding "*caller bol rha hai ki mai khet se aa rha tha ek admi behos leta hua hai jo injured hai sir se blood aa rha hai*". The Investigating officer reached at the spot and met with the caller and thereafter, the injured was taken to RTRM Hospital where he was declared brought dead vide MLC No. 503/2023. The spot was inspected by the crime team and after inspection, the exhibits were



lifted and seized by the crime team. The present case was registered under Section 302 of IPC and the deceased could not be identified despite the best efforts including newspaper publication, etc. During investigation, a Royal Green liquor bottle was recovered from the spot which had a bar code on it, which led the police team to locate the shop from where the bottle had been bought. The CCTV footage of the said shop was also analyzed and three people were spotted purchasing the aforementioned bottle including the deceased. On the basis of analysis of CCTV footage, local inquiries led to the identification of the deceased as Bunty @ Vicky and later on the body was identified by the father of the deceased and autopsy was conducted at RTRM hospital *vide* PM No. 37/2023 dated 07.02.2023. It is stated that on 08.02.2023, an information was received at PS BHD Nagar that four persons (i) Himanshu Dagar (ii) Dheeraj Toor (iii) Anshul Antil (present applicant) and (iv) Sahil had been arrested by Crime Branch Sector-9 Dwarka, Delhi Police, in DD No. 167A dated 07.02.2023, under Section 41.1 (B) (A) and in that, all four persons have disclosed the commission of offence under Section 302 of IPC in relation to the present FIR. Thereafter, all four accused persons were arrested.

3. The learned counsel appearing on behalf of the applicant argues that the applicant herein has been in judicial custody since 08.02.2023, and he has been falsely implicated in the present case. It is stated that the material witnesses in the present case have already been examined and no fruitful purpose will be served by keeping him in custody any further. It is argued that none of the witnesses have spoken about the present applicant and there is nothing on record to connect the present applicant with the offence in question. It is stated that the star witness of the prosecution i.e. PW- Johrul



Islam (tea seller) has already been examined and has not supported the prosecution case. It is also stated that FSL report has also not supported the case of the prosecution. It is further contended that the applicant herein is not visible in the CCTV footage of the wine shop. It is stated that the trial will take some time to conclude. It is, therefore, prayed that the applicant be released on regular bail.

4. The learned APP for the State, on the other hand, states that the present accused/applicant was arrested on the disclosure statement of the co-accused, and allegations against him are serious in nature. It is also admitted that one of the eye-witnesses has turned hostile and has not supported the case of the prosecution. It is also admitted that the applicant herein was not seen in the CCTV footage which has been seized from the place of offence in question.

5. This Court has heard arguments addressed on behalf of both the sides and has perused the material available on record.

6. In view of the submissions made before this Court, and considering the overall facts and circumstances of the case, and the fact that the present applicant/accused has been in judicial custody since 08.02.2023, and it is the admitted fact that the eye-witness Johrul Islam has turned hostile and has not supported the case of prosecution, and since trial will take some time to conclude, 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 appear in Court on every date of hearing unless exempted;

v) 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.

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

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

9. A copy of this order be communicated to the concerned jail authorities for necessary compliance.

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 24, 2025/zp