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

+ **BAIL APPLN. 1323/2025**

VIKRAM

.....Petitioner

Through: Mr. Pratyush Prasanna, Ms. Saumya
Yadav, Ms. Malvika Kulkarni ,
Advocates.

versus

STATE

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
State along with Insp. Satbir Singh,
PS: Jaitpur.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

21.05.2025

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1. By way of the instant application, the applicant is seeking grant of regular bail in case arising out of FIR No. 388/2023, registered at Police Station, Jaitpur, Delhi, for the commission of offences punishable under Sections 302/307/324/120B of Indian Penal Code, 1860 (hereafter 'IPC') and Sections 25/27 of the Arms Act, 1959.

2. Brief facts of the present case are that on 05.10.2013, a PCR call had been received at the PS Jaitpur, Delhi informing that a person had been shot at and the person who had fired the gunshot had been caught. Thereafter, the police officials had reached the place of the incident, however, it was then informed that the injured persons had been taken to the hospital by PCR vehicles. On initial inspection, two live rounds and one empty cartridge, a



cloth bag, an artificial pistol, a bomb shaped banded cloth article, a liquid in a water bottle, and a knife lying at the spot of incident and blood stains. It was further informed to the police officials by the Apollo Hospital that the person, namely, Om Prakash, had been declared as “brought dead”. Thereafter, the statement of Madan Mohan i.e., son of the deceased had been recorded, wherein he had revealed that his sister, Suman had been married to the present applicant since around four years, however, due to frequent quarrels, they both had been separated, with the intervention of Panchayat. It is stated that Suman, had then married one Sonu, in the year 2013. It is stated that on the intervening night of 14.10.2013 and 15.10.2013, at about 1 AM, while everyone had been sleeping at his home, the complainant had heard the sound of a gunshot and shouting. It is stated that the complainant immediately went outside, and saw that his father had been lying with blood flowing from his chest, and his brother Jai Prakash had been holding the applicant herein, who had been holding a small pistol. It is stated that the brother of the applicant i.e., Satish and two other individuals were also present nearby. It is stated that the applicant herein had fired multiple gunshots, and had also fired one time at the chest of Jai Prakash. While calling the police officials, the complainant had heard gunshots and screams, and upon rushing back, saw the applicant herein attacking his mother and sister with a knife. It was alleged that the present applicant had also attacked Jai Prakash and the complainant’s wife with knife. Co-accused Satish and other accomplices had managed to escape, however, the applicant herein had been caught on the spot, and had further threatened to kill everyone, claiming that he had a bomb. On the basis of the aforesaid complaint, the present FIR had been registered.



3. The learned counsel appearing on behalf of the petitioner argues that the petitioner herein has falsely been implicated in the present case. It is submitted that the applicant herein has been in judicial custody since 16.10.2013, and the trial has been prolonged for 11 years. It is also submitted that four more witnesses are yet to be examined, and the trial is yet to be concluded. Therefore, it is prayed that the present applicant be granted regular bail.

4. The learned APP for State, on the other hand, argues that the offences committed by the accused/applicant herein are serious in nature and he may jump the bail and never join the trial process again, if released on bail. It is further stated that the accused/applicant had committed the offences with proper preparation, murdered one person and attempted to murder the other family members of the victim. It is submitted that the case is at the verge of conclusion. In view of the above, the present bail application may be dismissed.

5. This Court has heard arguments addressed by both parties and has perused the material available on record.

6. Considering the long incarceration of the accused herein in judicial custody, and the fact that the trial has been prolonged for 11 years, this Court is mindful of the delay in the proceedings. At the same time, it is also necessary to take into account that the petitioner, after his divorce, had allegedly gone on a shooting spree, fired a gunshot and murdered his father-in-law, stabbed his mother-in-law, attacked other victims with a knife, and also threatened to explode a bomb.

7. It is further noted that only four witnesses remain to be examined. The public witnesses examined so far have supported the prosecution's case. In



view of the above, this Court deems it appropriate to direct the learned Trial Court to prepone the date of hearing of the present case, take it up at short intervals, and decide the same within two months from the date.

8. In view thereof, this Court finds no ground to grant regular bail to the applicants at this stage. However, it is also noted that in case the trial does not conclude within two months, the petitioner will be at liberty to approach this Court and file a fresh application for the grant of regular bail.

9. Accordingly, the present bail application is dismissed.

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

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 21, 2025/vc

[Click here to check corrigendum, if any](#)