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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 1739/2025 & CRL.M.A. 13968/2025

VISHAL@BHOLU

.....Applicant

Through: Mr. Suraj Prakash Sharma,
Adv.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sunil Kumar Gautam,
APP for the State with SI
Ankur, PS Tilak Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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18.08.2025

1. The present application is filed seeking regular bail in FIR No. 398/2022 dated 11.04.2022, registered at Police Station Tilak Nagar, for offences under Sections 302/34 of the Indian Penal Code, 1860.

2. The brief facts of the case are that a DD entry was received at Police Station Tilak Nagar regarding admission of one person in the hospital with a stab injury. During the course of the treatment, the victim namely Ranjeet Singh (hereafter '**the deceased**') succumbed to his injuries. The FIR was registered on a statement given by the father of the deceased. It is alleged that the deceased while being shifted to the hospital had told his father that the applicant and other co-accused persons had beaten the deceased, and that one person namely Golu had stabbed him with a knife.

BAIL APPLN. 1739/2025

Page 1 of 4



3. During the course of the investigation, the statement of eye witness namely Khushpreet Singh was recorded who stated that on 10.04.2022 an altercation had taken place between the deceased and other accused persons in the midst of which the accused persons had given multiple blows to the deceased. It is alleged that the matter had initially been compromised between the parties, and the deceased along with his cousin Khushpreet had left the spot. Thereafter, the accused persons had come to scene of the crime and had allegedly assaulted the deceased. It is alleged that the applicant choked the deceased from behind and co-accused Amit @ Golu stabbed the deceased in his thigh.

4. During the course of the investigation, CCTV footage of the vicinity of the scene of the crime was obtained which according to the case of the prosecution showed the presence of the accused persons including the applicant near the spot.

5. The applicant was arrested on 13.04.2022 and has been in custody since then.

6. 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 material witnesses have turned hostile and have not supported the case of the prosecution. He submits that the co-accused Dev Sarkar @ Anurag has already been enlarged on bail by this Court by order dated 28.03.2025 and prays that the applicant be enlarged on bail on the ground of parity.

7. *Per contra*, the learned Additional Public Prosecutor for the State vehemently opposes the grant of any relief to the applicant. He submits that the allegations levelled against the



applicant are grave in nature.

8. This Court, by order dated 28.03.2025, granted regular bail to co-accused Dev Sarkar @ Anurag, noting that all the material witnesses including the eye-witness, who happened to be the cousin of the victim, have turned hostile and have not supported the case of the prosecution.

9. The FIR was initially registered pursuant to the complaint given by the father of the victim stating that the victim before succumbing to his injuries, had disclosed to him that he was injured by the accused persons including the present applicant. However, as was noted by this Court in the order dated 28.03.2025, the father of the victim had deposed that he had not seen any of the accused persons nor had the deceased told him anything in relation to the accused persons.

10. Even though it is claimed that the CCTV footage showed the presence of the applicant at the scene of crime, however, admittedly, the CCTV did not capture the alleged incident and any of the accused persons giving injuries to the victim.

11. The applicant was arrested way back on 13.04.2022 and has been in custody since then.

12. In the opinion of this Court, the applicant is entitled for being released on bail on the ground of parity.

13. The applicant is, therefore, admitted on bail and is directed to be released (if not required in any other case) 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 State 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. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

AUGUST 18, 2025

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