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

+ **BAIL APPLN. 1952/2025 & CRL.M.A. 15777/2025 (Exemption)**

AKASH

.....Petitioner

Through: Ms. Naveen Gaur, Mr. Kaushlender Singh, Mr. Neeraj Gahlaut, Mr. Vijay Kumar, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP for the State with SI Mahavir, PS DBG Road

+ **BAIL APPLN. 1959/2025 & CRL.M.A. 15842/2025 (Exemption)**

LALA @ RAGHAV

.....Petitioner

Through: Ms. Naveen Gaur, Mr. Kaushlender Singh, Mr. Neeraj Gahlaut, Mr. Vijay Kumar, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP for the State with SI Mahavir, PS DBG Road

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
21.05.2025

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1. Issue notice. Mr. Mukesh Kumar, APP for the State, accepts notice.
2. The present applications filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 439 of the Code of Criminal Procedure, 1973) seeks pre-arrest bail in proceedings arising from



FIR No. 177/2025 registered under Sections 110, 115(2), 126(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 at P.S. DBG Road.

3. Briefly stated, the case of the prosecution is as follows:

3.1. The FIR was lodged on a complaint made by one Lekhraj, alleging that on 23rd April, 2025, at around 9:30 PM, he, along with his friends Jaiprakash and Sahil, were commuting by motorcycle from Peera Gadi to Sadar Bazaar. Upon reaching near Gaushala Road, Ghode Wali Gali, a boy, later identified as Ronit, approached their vehicle on his two-wheeler in a rash manner. When the Complainant objected and asked Ronit to drive properly, Ronit began abusing him.

3.2. Ronit then raised a hue and cry, summoning the Applicants. Upon their arrival, Ronit alleged that the Complainant and his friends had uttered certain remarks. An altercation ensued, during which Akash allegedly picked up a cooking utensil (*kadhai*) from a nearby cart and hurled it at Jaiprakash. Though the oil in the utensil was cold, it spilled on Jaiprakash's shoulder, and he sustained an injury on his elbow.

3.3. It is further alleged that Lala caught hold of the Complainant, and Akash assaulted him with a stick, followed by giving him beatings. When Jaiprakash attempted to escape and alert the police, Lala allegedly struck the Complainant with a stick-like object and threatened to kill him. The Applicants fled from the scene before the arrival of the police. The injuries sustained by the Complainant and Jaiprakash are stated to be of a serious nature.

4. Counsel for the Applicants submits that they have been falsely implicated. It is contended that the narrative in the FIR is incorrect and that the Applicants were not present at the location at the relevant time. It is



further submitted that Akash has been residing with his in-laws at Manakpura, Karol Bagh since his marriage, and was present there on the date of the incident. Similarly, Lala was at his residence during the relevant time. Both Applicants claim to have no criminal antecedents and their express willingness to cooperate with the investigation.

5. *Per contra*, Mr. Mukesh Kumar, APP for the State strongly opposes the Applicants' request and submits as follows:

5.1. The allegations levelled against the Applicants are of a grave nature. It is alleged that Lala restrained the Complainant by holding his hands from the front and incited Akash to assault him. Akash is stated to have struck the Complainant on the head using a stick, while Lala too allegedly inflicted blows with a similar object. Both Applicants are further accused of assaulting the Complainant with beatings. The recovery of the weapons used in the offence is yet to be effected, and Test Identification Parade proceedings in respect of the Applicants remain pending. Their custodial interrogation is, therefore, necessary.

5.2. The Applicants are not co-operating in the investigation and have not been found at their stated addresses.

5.3. The Applicants have also been involved in several criminal cases; Akash is reportedly involved in 4 other cases involving serious offences, and Lala in 2 other criminal cases.

5.4. The anticipatory bail of the Applicants has been dismissed by the Sessions Court by separate orders dated 7th May, 2025.

6. The Court has considered the afore-noted facts and contentions. The incident, as narrated in the FIR reflect an incident of road rage. What began as an altercation escalated into a violent confrontation, involving physical



assault and threats of a serious nature. Such conduct, particularly in public spaces, not only endangers individual safety but also disrupts public order. This form of violent escalation cannot be trivialized or condoned.

7. Furthermore, the Court takes serious note of the Applicants' criminal history. As per the State's submissions, which remain uncontroverted at this stage, Applicant Akash is facing prosecution in 4 separate criminal cases, each involving grave and serious offences. Similarly, Applicant Lala is reportedly involved in 2 other criminal matters. These antecedents indicate a pattern of unlawful behaviour and reflect adversely on the Applicants' character. Additionally, the Applicants have not been co-operating with the investigation. The State has submitted that they are absconding and have not been found at their respective residences, which further disentitles them to any equitable relief.

8. Moreover, at this stage, the Court finds merits in the contentions advanced by Mr. Mukesh Kumar, APP for the State that custodial interrogation of the Applicants is necessary at this stage of the investigation. Not only is the recovery of the weapon(s) of offence pending, but the Test Identification Parade of the Applicants is also yet to be conducted. These investigative steps are crucial for fair prosecution of the case, and cannot be carried out effectively if the Applicants are granted protection from arrest. Thus, this Court is not inclined to accede to the Applicants' request at this stage.

9. 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.



10. Having regard to the afore-noted, the present bail applications are dismissed.

SANJEEV NARULA, J

MAY 21, 2025/ab