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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1999/2025**
SOHAIL KHANPetitioner

Through: Mr. Rizwan Ali, Advocate.

versus

THE STATE GOVT OF NCT OF DELHIRespondent
Through: Mr. Manoj Pant, APP for the State
with Mr. Chandrakant, Advocate

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER
07.08.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case out of FIR bearing no. 497/2022, registered at Police Station Kalundi Kunj, New Delhi, for the commission of offences punishable under Section 307 of the Indian Penal Code, 1860 (hereafter 'IPC') and Sections 25/54/59 of the Arms Act, 1959.
2. Briefly stated, the facts of the present case are that on 10.11.2022, an information was received *vide* GD No. 41A regarding a bullet fire at Irfan's shop located at Khadda Colony Jaitpur Part-II, Delhi and that someone had been shot on the waist. Another information *vide* GD No. 47A regarding MLC no. 959/222 was received from Apollo Hospital, Delhi of one Salman Khan. Thereafter, the Investigating Officer had reached at the hospital, and had collected the MLC, wherein it was mentioned that the victim had received a gunshot injury over Lumbar Spine region at around 1.44 PM at



Khadda Colony, Jaitpur, Delhi, and that patient is unfit for statement. During the course of investigation, the present accused/applicant was arrested on 13.11.2022.

3. The learned counsel appearing on behalf of the applicant argues that the applicant has been falsely implicated in the present case and there is nothing on record to connect him with the commission of alleged offence. It is argued that the applicant has been in judicial custody since 13.11.2022. It is argued that the prosecution has cited 22 witnesses in total out of which only 07 witnesses have been examined till date and the trial will take some time to conclude. Therefore, it is prayed that the applicant be released on regular bail.

4. The learned APP for the State, on the other hand, argues that the nature of offence committed by the present accused/applicant is serious and grave, the present applicant/accused has fired on victim's vital part and that the same has rendered him paralyzed on some portion of the body. It is argued that the applicant has been correctly identified by the complainant. It is argued that the weapon of offence was recovered at the instance of the applicant. Therefore, it is prayed that the bail application of the applicant be rejected.

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

6. This Court notes that the present applicant/accused has been in judicial custody since 13.11.2020, i.e. for more than 2 and a half years. It is also noted that all the material witnesses have already been examined, and only official witnesses remain to be examined.

7. Thus, considering the overall facts and circumstances of the case, and



the fact that the prosecution has cited 22 witnesses in total out of which only 07 witnesses have been examined till date and the 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.10,000/- 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 not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.

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

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

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 07, 2025/zp