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

+ **BAIL APPLN. 2231/2025**

**SHUBHAM SHARMA**

.....Petitioner

Through: Mr. Parvinder Chauhan, Sr. Adv. with  
Mr. Abhilash Vashisht, Adv.

versus

**STATE OF NCT OF DELHI**

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for State  
with  
Mr. Amit Chadha, Sr. Adv. alongwith  
Mr. Prateek Bazad, Mr. Vishal  
Bhardwaj, Mr. Harjas Singh and Mr.  
Saarthak Sethi Advs. for the  
complainant.

**CORAM:**

**HON'BLE MR. JUSTICE ARUN MONGA**

**ORDER**

% **22.07.2025**

**CRL.M.(BAIL) 1291/2025 (Anticipatory bail)**

1. Applicant seeks anticipatory bail in FIR No.219/2025 registered at PS Alipur, Delhi under Sections 110/126(2)/324(4)/351(2)/3(5) of BNSS. Vide an order dated 17.06.2025, his anticipatory bail was dismissed by learned Sessions Judge.
2. First and foremost, the relevant part of the FIR be seen, true translation of which as appended with the petition, reads as under:

*“Statement of Parveen Kumar S/o Bhupender Kumar Gupta Rio H No. 613/2, Near Mini Stadium of Alipur Delhi Age 49 Yrs M. No. 9555979797 told that he lives at above mentioned address with his family and do the business of Properties sale and purchase in*



*the name of "GUPTA PROPERTIES" and having his office at Badshahi Road Kheda Kalan, that on 26-04-25 at around 05:50 PM while going home from his office in his white colored Creta car Bearing Temp. R. No. 8482 when at around 06:05PM at Y Point Foot over Bridge near Sai Baba Mandir alipur a white colored Hyundai car having a temporary Registration No. on it blocked my way to stop me due to which I stopped my car. After that 4-5 persons whose faces were covered with cloth came out of the car which blocked my way, out of which 2 of them were holding iron rods in their hands and others having sticks. After that they started breaking my car windows with the rods and sticks they were having. There after one of them came to driver side window of my car and thrown me out on the road due to which I fell on the road and seeing that all of them came running towards me with sticks and Rods and said that today we will hit you in the way that you will die. After saying this the person with the rod tried to hit me in my head but I tried to stop it with my right hand and the rod got hit on my right hand. After which all of the 4-5 people started hitting me with sticks and iron rods due to which I fell on the road and they continued beating me with rods and sticks while I was lying on the road. Due to which I got multiple injuries on my body. After that while leaving the spot one of them told me that this is the result of messing with Praveen Lakda Narela and Shubham Sharma Bud pur and today we are leaving you badly injured but if you try to mess with Praveen and Shubham again we will kill you, after which they left in their white colored Hyundai car towards Alipur. That from long time I am having dispute with Praveen Lakda and before also I have made an FIR registered against him in P.S. Alipur. After that one Police Officer came there and took me to SRHC hospital Narela for treatment, where you came and- took my statement. That appropriate legal action should be taken against the abovementioned accused persons for stopping my car. Hurting me and threatening me. That I properly heard and understood my above statement. SD English Parveen attested by ASI Sunil Kumar No. 948/0ND, PS Alipur, Delhi, Duty Officer PS Alipur Delhi”*

3. In the backdrop of the aforesaid allegations contained in the FIR, it is borne out that a Status Report/Reply dated 17.06.2025 (Annexure P-6) was filed before the learned Sessions Judge by the prosecution through Inspector



Sunil Jain, which reads as under:

*“In Compliance of the Hon'ble Court dated 06.06.2025 Accused Shubham Sharma. The Applicant had joined the Investigation on 11.06.2025. He was examined thoroughly. **As on date, there is no requirement of custodial interrogation of Shubham Sharma.** The main Accused master mind of whole incident Parveen Kumar Lakra is on run and proclamation proceedings against him are under progress. Further, the mobile phones of Co-accused persons namely Ravinder @ Ravi, Parveen Khatri @ Moni and Vikas @ Vicky are sent FSL for forensic examination.*

*When Accused Parveen Lakra will be arrested and depending upon his disclosure and change of circumstances and in the light of FSL results of mobile phones, further probe will be conducted and role of the Present Applicant, Subham Sharma will be re-examined.*

*Status report is submitted”*

(Emphasis supplied)

4. The perusal of the above clearly reveals that an unequivocal stand was taken that, at this stage, there is no requirement of custodial interrogation of applicant/accused Shubham Sharma.

5. Not only before the learned Sessions Court, but even in this Court, a report has been filed, wherein in paragraphs 12 & 17, it is stated thus:

*“That Shubham Sharma, present petitioner/applicant was initially granted interim bail with the directions to join investigation by the Ld. Courts of Sessions order dated 06.06.2025. **The present petitioner/applicant joined the investigation but nothing incriminating surfaced against him** except that his name was mentioned in the FIR wherein the complainant has alleged that the assailants threatened after beating him, not to mess with Praveen Lakra and Shubham Sharma in future. However, during examination, the complainant, he has not stated about previous business rivalry or other enmity with Shubham Sharma.*

*In case, after the arrest and subsequent examination/interrogation of accused Praveen Lakra or/and after receiving the data of the mobile phones from FSL, any new circumstance or*



*facts comes on record regarding the role of the present petitioner/applicant in the alleged incident, his custodial interrogation may arise.”*

(Emphasis supplied)

6. In light of the aforesaid two Status Reports, it transpires that the applicant has cooperated in the investigation after joining the same. He has already been examined to the satisfaction of the Investigating Officer (IO),

7. In the premise, without advertent to the merits as pleaded in the bail application and/or the arguments addressed on the same by the learned Senior Counsel appearing for the petitioner, I am of the opinion that the applicant deserves the indulgence of this Court.

8. Accordingly, the bail application is allowed. The applicant herein, in the event of his arrest, is ordered to be released on bail on his furnishing bail bonds and surety bonds, to the satisfaction of arresting officer/investigation officer, subject to his complying with the conditions/provisions contained in Section 482(2) of BNSS.

9. However, liberty is granted that if in future any further material is unearthed in course of the investigation and/or otherwise, warranting custodial interrogation of the applicant, then prosecution shall be at liberty to file appropriate application before the learned Trial Court to seek cancellation of bail granted vide instant order.

**ARUN MONGA, J**

**JULY 22, 2025**

*akc*