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

+ **BAIL APPLN. 2294/2025**

FAHEEM

.....Petitioner

Through: Mr. Pradeep Teotia and Mr. Vishesh
Choudhary, Advocates.

versus

STATE G.N.C.T OF DELHI

.....Respondent

Through: Mr. Saifi Ahmad, Advocate for
Complainant with Complainant in
person.
Mr. Ajay Vikram Singh, APP for
State with Mr. Satyam Gupta, SI, PS-
Hauz Qazi.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

01.08.2025

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1. The present application filed under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 439 of the Code of Criminal Procedure, 1973²) seeks regular bail in proceedings arising from FIR No. 318/2024 dated 6th November, 2024, registered under Section 109(1) of the Bharatiya Nyaya Sanhita, 2023³ read with Sections 25, 27, 54, 59 of the Arms Act, 1959⁴ at P.S. Hauz Qazi, Delhi.

2. The subject FIR was registered on the complaint of one Shohail, who

¹ "BNSS"

² "CrPC"

³ "BNS"



alleged that he had been stabbed by the Applicant using a button-operated knife. The crime scene was inspected by the Crime Team and the Forensic Science Laboratory ('FSL') team, and certain exhibits, including the blood-stained knife, were recovered. The Complainant's statement was recorded, and during the course of investigation, the Applicant was apprehended.

3. The Complainant, Shohail, is present in Court along with his counsel. He submits that he does not oppose the present bail application. He further states that the Applicant is his cousin and that they share a cordial relationship. He clarifies that the incident occurred at night and that he could not clearly identify the person who stabbed him. He submits that the complaint to the police, which led to the registration of the FIR, resulted because of his misunderstanding.

4. The prosecution places reliance on CCTV footage; however, it appears that the footage is apparently not clear. In any case, the evidentiary value of such CCTV footage will have to be examined at the stage of trial. At this stage, the Court is not required to weigh evidence with the rigour reserved for a trial which would make the bail proceedings akin to a mini-trial.⁵

5. At this stage, this Court finds it appropriate to grant regular bail to the Applicant, taking into account several factors, particularly the stand taken by the complainant as noted above. Moreover, taking note of the Applicant's period in custody of 8 months and 18 days as reflected in the nominal roll as on 23rd July, 2025, his satisfactory conduct during incarceration; completion of investigation and filing of the chargesheet; and absence of any prior

⁴ "Arms Act"

⁵ See also: *Brijmani Devi v. Pappu Kumar & Anr.*, (2022) 4 SCC 497 and *Mahipal v. Rajesh Kumar @*



criminal antecedents, the Court finds merit in Applicant's prayer. It is well established through a catena of judgments by the Supreme Court that the object of granting bail is neither punitive nor preventative. The primary aim sought to be achieved by bail is to secure the attendance of the accused person at the trial.⁶

6. Accordingly, the Applicant is directed to be released on bail on furnishing a personal bond for a sum of INR 25,000/- with one surety of the like amount, subject to the satisfaction of the Trial Court / Duty MM, on the following conditions:

- a. The Applicant shall cooperate in any further investigation as and when directed by the concerned IO;
- b. 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;
- c. The Applicant shall under no circumstance leave the country without the permission of the Trial Court;
- d. The Applicant shall appear before the Trial Court as and when directed;
- e. 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;
- f. 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.

Polia, 2020 (2) SCC 118.

⁶ See also: *Sanjay Chandra v. CBI*, (2012) 1 SCC 40; *Satender Kumar Antil v. Central Bureau of Investigation*, (2022) 10 SCC 51.



7. 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.
8. 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.
9. The bail application is allowed in the afore-mentioned terms.

SANJEEV NARULA, J

AUGUST 1, 2025

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