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

+ **BAIL APPLN. 2364/2025 & CRL.M.A. 18794/2025,**
CRL.M.A. 18795/2025

SONAL BABU

.....Applicant

Through: Mr. Devender Rana, Adv.
through V.C.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Pryanka Dalal, APP
for the State.
SI Kamlesh, PS Bawana.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **08.09.2025**

1. The present application is filed seeking regular bail in FIR No. 422/2024 dated 04.07.2024, registered at Police Station Bawana for the offence under Section 109(1) of the Bharatiya Nyaya Sanhita, 2023 ('BNS').

2. The FIR was registered pursuant to a complaint given by the eye-witness namely Suraj Verma in relation to the injuries sustained by the victim, namely, Vipin (hereafter '**the victim**'). It is alleged that the applicant and the victim were working as labourers and were known to each other. It is alleged that on 03.07.2024, a scuffle took place between the parties on some petty issue which led to the applicant attacking the victim with a blade thereby causing injuries on the victim's neck. It is alleged that the weapon with which the applicant had attacked the victim has already been recovered.

3. The applicant was arrested on 04.07.2024 and has been in



custody since then.

4. The learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He submits that no CCTV footage of the place of the incident has been brought forth by the prosecution. He submits that there is a discrepancy in the statement of the victim insofar as the weapon allegedly used in the commission of the offence is concerned. He submits that in the MLC, the victim stated that the applicant had inflicted the injuries with a knife, however, in his statement under Section 161 of the Code of Criminal Procedure, 1973, the victim stated that the injuries were inflicted with a blade. He submits that the alleged eye-witness of the incident was the friend of the victim, and his testimony consequently cannot be relied upon.

5. He submits that the applicant has been languishing in custody since 04.07.2024 and till date only one out of sixteen witnesses has been examined. He submits that in such circumstances, the trial is not likely to conclude in the near future.

6. He further submits that the applicant belongs to a poor strata of society and is responsible to provide for his family which includes his younger brother, two sisters, his mother and father. He submits that the applicant's family is currently being provided for by the applicant's father who is also working as a labourer.

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



are serious in nature. She submits that the MLC of the victim indicates that victim suffered an injury to his neck and that such injury was 'sharp'.

8. I have heard the counsel and perused the record.

9. It is pertinent to note that the applicant is in custody from the last 14 months and till date only 01 out of a total of 16 witnesses have been examined. The involvement of the applicant in the commission of the alleged offence would be tested during the course of the trial. This Court, however, does not consider it apposite to comment upon the intricacies of the evidence or the pointed contradictions at this stage. Undisputedly, the applicant belongs to a poor strata of society and has a younger brother, two sisters, mother and father living with him. It is pointed out that the applicant's family is currently being provided for by the applicant's father who is working as a labourer. The applicant is also stated to have clean antecedents.

10. The object of Jail is to secure the appearance of the accused during the trial. The object is neither punitive nor preventive and the deprivation of liberty has been considered as a punishment. The applicant cannot be made to spend the entire period of trial in custody specially when the trial is likely to take considerable time.

11. Considering the above, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹20,000/- with one surety 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.

12. In the event of there being any FIR/DD entry/complaint lodged against the applicant, it would be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

13. 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.

14. The bail application is allowed in the aforementioned terms. Pending applications also stand disposed of.

AMIT MAHAJAN, J

SEPTEMBER 8, 2025

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