



\$~6

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

+ **BAIL APPLN. 2568/2025**

DILSHAD @ SONU

.....Petitioner

Through: Mr. Javed Alvi, Advocate and Mr.
Vijay Goswami, Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

%

11.09.2025

1. By way of instant application, the applicant is seeking grant of regular bail in case arising out of FIR bearing No. 65/2025, registered at Police Station Sonia Vihar, Delhi, for the commission of offences punishable under Sections 115(2)/125(2)/351(2)/74/332(b)/3(5) of Bharatiya Nyaya Sanhita, 2023 (hereafter '*BNS*').
2. Brief facts of the case are that the prosecutrix, in her complaint, stated that on 09.02.2025, she had gone to her in-laws' house. On the following day, 10.02.2025, at about 3:30 PM, in her village Badarpur Khadar, the accused Nasiruddin @ Kale started abusing her father. When she objected, Nasiruddin and his brother Dilshad@Sonu (applicant herein) assaulted her father and then entered her house, where they physically assaulted her and tore her clothes. At that time, Mahrudin (elder brother of Nasiruddin) and his son Afzal @ Bandar also reached the spot and further assaulted her



father. The accused persons allegedly threatened to kill them if the incident was reported to the police and also damaged a car parked outside the house before leaving. Based on her statement, the present FIR was registered

3. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in the present case, as a counterblast to the complaint lodged against the complainant herein as they had beaten the elder brother of the present applicant on the issue of parking. The applicant has been in judicial custody for the last four months, i.e., since 04.06.2025. It is further contended that there was an unexplained delay of one day in reporting the matter to the police, which indicates that the FIR was lodged after due consultation and as an afterthought. Moreover, no recovery of any stolen article, as alleged in this FIR, has been made from the possession of the applicant. The learned counsel for the applicant also submits that this Court has granted anticipatory bail to the co-accused Mahrodeen@Mahru *vide* order dated 10.09.2025. Therefore, it is prayed that the applicant herein be granted regular bail.

4. The learned APP for the state, on the other hand, states that applicant is a habitual offender, being involved in other criminal cases as well. It is further contended that the applicant has been clearly captured in CCTV footage carrying the weapon in question, which *prima facie* establishes his active participation in the alleged offence. It is thus prayed that this bail application be dismissed.

5. This Court has heard arguments addressed on behalf of the applicant as well as the State, and has perused the material on record.

6. This Court notes that both parties belong to the same village and share a history of enmity. In the present case, the cause of conflict appears to have



been a dispute regarding car parking. It is further observed that both parties have previously lodged criminal cases against each other, which reflects the subsisting animosity between them.

7. This Court also notes that the complainant herein had got the present FIR registered a day after an F.I.R. was registered at the instance of the applicant's brother. It is further noted that both the complainant as well as the applicant's brother had sustained injuries, as reflected in the MLC.

8. Moreover, this Court *vide* order dated 10.09.2025 has granted anticipatory bail to co-accused Mahrodeen@Mahru.

9. Considering the overall facts and circumstances of the case, and for the reasons recorded hereinabove, this Court is inclined to grant regular bail to the applicant on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall surrender his passport and not leave the country without prior permission of the concerned Court.
- ii) The applicant shall not directly or indirectly make an attempt to influence the witnesses, or tamper with the evidence in any manner.
- iii) The applicant shall share his mobile number with the concerned IO/SHO, and shall keep the same switch on/active at all times.
- iv) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court.
- v) The applicant shall appear regularly before the learned Trial Court.



10. Accordingly, the present application stands disposed of.
11. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.
12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

SEPTEMBER 11, 2025/vc