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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2569/2025**
GOVINDAPetitioner

Through: Ms. Malvika Kulkarni and Mr.
Pratyush Prasanna, Advocates

versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Manoj Pant, APP for the State

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **15.07.2025**

CRL.M.A. 20030-31/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of the instant application, the applicant seeks grant of interim bail in case arising out of FIR bearing No. 364/2014, registered at Police Station Govindpuri, Delhi, for the commission of offences punishable under Sections 302/149/34 of the Indian Penal Code, 1860 (hereafter '*IPC*').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. Briefly stated, the facts of the present case as per the FIR are that the complainant lived in a rented accommodation in Delhi and that her mother had come to visit her. It is alleged that on 03.04.2014, at about 9 pm, when the complainant along with her husband and mother had gone to fill water



from a common tap available for everyone in the building. Then, the accused persons had some quarrel with the complainant and her other family members which turned into a fight. It is alleged that during the fight, complainant's mother had tried to intervene but she was hit by a brick by one of the accused persons. It is further alleged that upon seeing the condition of the complainant's mother deteriorating the accused persons had fled from the place of incident. Thereafter, the complainant had taken her mother to the hospital where she had been declared dead. As a result, the present FIR was registered.

6. During the course of proceedings, the applicant and his wife/co-accused were not traceable and the investigating agency had to initiate process under Section 82 of Cr.P.C to apprehend them. Subsequently, both of them were declared proclaimed offender on 01.08.2014 by the learned Trial Court. Thereafter, they were arrested on 15.05.2016 and were charge-sheeted through a supplementary charge-sheet.

7. The learned counsel appearing on behalf of the applicant argues that the applicant is in judicial custody for a period of 6 years and 9 months. It is argued that the applicant be released on interim bail for the purpose of leading his Defence Evidence. It is also stated that other co-accused persons have already been enlarged on bail. Therefore, it is prayed that applicant be enlarged on interim bail.

8. On the other hand, the learned APP for the State opposes the present bail application and argues that only the concerned IO of the present case remains to be examined. It is argued that the applicant had been released on interim bail in the year 2020 and had failed to surrender on time and had been declared Proclaimed offender. Thereafter, the applicant had been



re-arrested in December 2022. Moreover, the application for grant of regular bail of the applicant was dismissed by this Court *vide* order dated 06.02.2024. Therefore, it is prayed that the present application be rejected.

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

10. In this Court's opinion, the applicant has not given any reason, as to how his being released on interim bail would help him in leading his defence evidence rather on the other hand, this Court has to take note of the fact that when he was released on interim bail, he was declared proclaimed offender in the year 2020. Again, when he was released on HPC guidelines, he did not surrender and he had to be re-arrested.

11. Considering the conduct of the applicant and also the fact that the trial is now going to be concluded within two months, this Court finds no ground to grant interim bail to the applicant.

12. Accordingly, the present application for grant of interim bail stands dismissed.

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

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 15, 2025/ns