



\$~4

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

+ **BAIL APPLN. 2606/2025**

AJAY

.....Petitioner

Through: Mr. Anoop Kumar, Mr. Vikas Saini,
Ms. Priyanka Siwas, Mr. Krishan
Shokeen, Mr. Kawalpreet Singh, Mr.
Dinesh Kumar Madesiya, Mr. Jai
Subhash Thakur, Mr. Vijay Kumar
Chaturvedi, Mr. Manish Malik, Mr.
Ashish Balyan, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State with
Insp S P Samaria ATO/ Prem Nagar
and Insp Adiya Ranjan.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

23.09.2025

%

1. An Application under Section 439 Cr.P.C/483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed on behalf of the Applicant/Petitioner Ajay for grant of Regular Bail in case FIR No.173/2020 dated 22.05.2020 under Section 395/396/302/307/34 IPC and Section 25/27 Arms Act registered at Police Station Prem Nagar.
2. It is submitted in the Application that the last Bail Application of the Applicant was dismissed by learned ASJ on 23.05.2025. The Applicant was arrested on 25.05.2020 and since then he is in judicial custody. More than 5 years have lapsed and the Chargesheet already stands filed and the material witness have already been recorded. However, they have failed to support the case of the Prosecution. Nothing was recovered at the instance of the



Applicant.

3. The co-accused Abhishek has already been granted Bail on 21.03.2023.

4. He is an innocent person belonging to a respectable family. The allegations leveled against him are false and frivolous. He is the sole bread winner of the family. There is no likelihood of him tampering with the Prosecution evidence. The trial would take long to conclude.

5. Reliance is placed on Hussainara Khatoon vs. State of Bihar AIR 1979 SC 1360. A prayer is, therefore, made that the Applicant be granted Bail.

6. A **Status Report** has been filed on behalf of the State, wherein the entire investigations have been detailed. It is submitted that the Charges already stand framed and the case is at the stage of Prosecution Evidence. There is six similar cases against the Applicant. There is likelihood of the Applicant threatening the witnesses. The Bail is, therefore, opposed.

Submissions heard and record perused.

7. The Applicant is in judicial custody since 25.05.2020. The case of the Prosecution rested on the statements of two eye witnesses who admittedly have been examined and have turned hostile on the aspect of identification of the Applicant.

8. Considering the totality of circumstances, the accused is granted Regular Bail, on the following terms and conditions:

a) The petitioner/accused shall furnish a personal bond of Rs.35,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court.

b) The petitioner/accused shall appear before the Court as and



when the matter is taken up for hearing;

c) The petitioner/accused shall provide his mobile number/changed mobile number to the IO concerned which shall be kept in working condition at all times;

d) The petitioner/accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.

e) In case the petitioner/accused changes their residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

9. The copy of this Order be communicated to the concerned Jail Superintendent as well as to the learned Trial Court.

10. The above Bail Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 23, 2025

va