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

+ **BAIL APPLN. 2658/2025 & CRL.M.A. 20684/2025,**
CRL.M.A. 20685/2025

SHAHWAZ

.....Applicant

Through: Mr. Vishal Raj Sehijpal,
Adv. through V.C.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam,
APP for the State
SI Hemant Kumar, PS-
Jafrabad.

+ **BAIL APPLN. 2842/2025 & CRL.M.A. 22139/2025,**
CRL.M.A. 22140/2025, CRL.M.A. 22141/2025

MOHD. ALAM

.....Applicant

Through: Mr. Vishal Raj Sehijpal,
Adv. through V.C.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam,
APP for the State.
SI Hemant Kumar, PS
Jafrabad.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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22.09.2025

1. The present applications are filed seeking pre-arrest bail in FIR No. 270/2025 dated 15.06.2025, registered at Police Station Jafrabad for offences under Sections 109(1)/61(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS') and Sections 25/27 of the Arms Act, 1959.

2. The FIR was registered pursuant to a DD entry in regard to



one person being injured and taken to the hospital. The victim was injured pursuant to a gunshot on his foot. The victim alleged that five persons, including the applicants had come to his house and caused injury to him.

3. It is pointed out that the applicants have since joined the investigation.

4. During the course of the investigation, CCTV footages were obtained and applicants could be seen going to the house of the victim. It is, however, undisputed that the gunshot injury was caused by one accused Asif. The victim was married to the real sister of co-accused Kasif and appears to have been embroiled in a matrimonial dispute which led Kasif to visit the victim's house along with the applicants.

5. The learned counsel for the applicants submits that the applicants had only accompanied Kasif being his friends and were not aware of any intention of any of the accused persons to cause gunshot injury.

6. Undisputedly, it is not the case of the prosecution that any injury was caused to the victim by the applicants. It is pointed out that the accused Asif who allegedly caused the gunshot injury, has already been arrested and the alleged gun from which the shot was fired, has also been recovered.

7. As noted above, the applicants have since joined the investigation. It is also not alleged that they were the ones who had caused the injury to the victim.

8. Therefore, in the opinion of this Court, the custodial interrogation of the applicants is not required.

9. In view of the above, the present applications are allowed



and the applicants, in the event of arrest, are directed to be released on bail on furnishing personal bond for a sum of ₹20,000/- each with two sureties each of the like amount subject to the satisfaction of the concerned SHO, on the following conditions:

- a. The applicants shall join and cooperate with the investigation, if required, as and when directed by the IO;
- b. The applicants shall not leave the country without the prior permission of the learned Trial Court;
- c. The applicants 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;
- d. The applicants shall appear before the learned Trial Court as and when directed;
- e. The applicants shall provide the address where they would be residing after their release and shall not change the address without informing the concerned IO/SHO;
- f. The applicant shall give their mobile numbers to the concerned IO/SHO and shall keep their mobile phones switched on at all times.

10. In the event of there being any violation of the stipulated conditions, it would be open to the State to file an appropriate application seeking modification / recall of the present order.

11. It is clarified that the observations made in the present order are for the purpose of deciding the present pre-arrest bail application, and should not influence the outcome of the Trial and should not be taken, as an expression of opinion, on the



merits of the case.

12. The present bail applications are allowed in the aforesaid terms. Pending applications stand disposed of.

13. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

SEPTEMBER 22, 2025

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