



\$~4

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

+ **BAIL APPLN. 2767/2025**

SHIV RAM

.....Petitioner

Through: Mr. Shubham Aggarwal, Mr.
Himanshu Mathur and Abhishek
Sharma, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP for the
State with Mr. Sachin Baisla, Mr.
Bijender Jain, Advocates

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **24.09.2025**

1. The present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (erstwhile Section 439 of the Code of Criminal Procedure, 1973²) seeks regular bail in proceedings arising from FIR No. 572/2025 registered under Sections 109(1), 132, and 221 of the Bharatiya Nyaya Sanhita, 2023³ at P.S. Okhla Industrial Area, South-East, District, Delhi.
2. Briefly, the case of the prosecution is that on 03rd July, 2025, ASI Greesh Kumar, while posted on traffic regulation duty at Govindpuri Metro Station red light along with HC Asha Ram, signalled a car to stop after it

¹ "BNSS"

² "Cr.P.C."

³ "BNS"



jumped the red light. The driver, instead of complying, accelerated the vehicle and ran it over ASI Greesh Kumar with the intention to kill, causing grievous injuries to his right leg. On the basis of the statement of the victim the subject FIR was registered.

3. Counsel for the Applicant submits that he has been falsely implicated. It is argued that no offence under Section 307 IPC is made out, as there was no intention to cause death, and the allegations in the FIR do not establish any *mens rea* for murder. The incident, if at all, was inadvertent as the police officer suddenly came in front of the vehicle, and there was no deliberate act or intention on the part of the Applicant to obstruct a public servant in the discharge of his duties. The Applicant is the sole breadwinner of his family, has no prior criminal antecedents, and the alleged act was entirely accidental in nature.

4. Mr. Mukesh Kumar, APP for the State, opposes the bail application and submits that the allegations in the FIR are of a grievous nature. The officer on duty signalled the Applicant to stop, but he allegedly accelerated the vehicle with the intent to kill, running over the officer and causing serious injuries, including a fracture to his leg. Accordingly, Section 307 IPC has been rightly invoked.

5. The Court has considered the facts and the submissions advanced. It is well established through catena of judgments by the Supreme Court that the object of granting bail is neither punitive nor preventative. The primary aim sought to be achieved by bail is to secure the attendance of the accused person at the trial.⁴

⁴ See also: *Sanjay Chandra v. CBI*, (2012) 1 SCC 40; *Satender Kumar Antil v. Central Bureau of Investigation*, (2022) 10 SCC 51.



6. It is noted that the investigation is nearly complete, and the chargesheet is likely to be filed shortly. In view of this, the presence of the Applicant for investigation purposes is not considered necessary. It is further noted that the Applicant has no prior criminal antecedents and is a taxi driver, with his entire family dependent on his income.

7. At this stage, whether the Applicant harboured an intention to kill or whether the incident occurred inadvertently may be conclusively determined at trial. For the limited purpose of deciding bail, the allegations in the FIR, though serious, do not by themselves justify the continued incarceration of the Applicant, particularly when the investigation is substantially complete and no further custodial interrogation is required.

8. The Applicant is, therefore, directed to be released on bail on furnishing a personal bond for a sum of INR 25,000/- with two sureties of the like amount, subject to the satisfaction of the Trial Court/Duty MM, on the following conditions:

- a. The Applicant shall cooperate in any further investigation as and when directed by the concerned IO;
- b. 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;
- c. The Applicant shall under no circumstance leave the country without the permission of the Trial Court;
- d. The Applicant shall appear before the Trial Court as and when directed;
- e. 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;

f. 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.

g. The Applicant shall report to the concerned P.S. on the first Friday of every 3 months;

9. With the above directions, the bail application is allowed and disposed of.

SANJEEV NARULA, J

SEPTEMBER 24, 2025/ab