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

+ **BAIL APPLN. 2961/2025 & CRL.M.A. 22977/2025,**
CRL.M.A. 22978/2025

VISHNU ARORA

.....Applicant

Through: Mr. Muti Ur Rehman, Mr.
Nadeem Khan, Mr. Ayush
Chaudhary, Mr. Puneet
Gautam, Ms. Shaheen &
Ms. M. Khana, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam,
APP for the State.
Insp. Harkesh Meena, PS
M. Park.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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08.09.2025

1. The present application is filed seeking regular bail in FIR No. 331/2022 dated 14.02.2022, registered at Police Station Mahendra Park for the offence under Section 302/34 of the Indian Penal Code, 1860 ('IPC').
2. The FIR was registered on a complaint given by one person namely Aftab. It is alleged that on the night of 13.02.2022, the complainant along with his friends Sujit, Akash and Santosh was standing at the corner of the park near House No. I-24, Jahangirpuri, Delhi. Thereafter, at around 9:00 PM, it is alleged that co-accused CCL-A and Ravi @ Manu approached the complainant and his friends and took Santosh in front of House No. I-27, Jahangirpuri and attacked him with a knife on



account of which Santosh fell down. It is alleged that thereafter on being taken to the hospital, victim Santosh was declared brought dead (hereafter '**the deceased**').

3. During the course of the investigation, CCTV cameras were checked but no CCTV camera was found to have captured the incident. Thereafter, it was found that the co-accused CCL-A went to the shop of the applicant and posted a story on Instagram from the applicant's mobile phone. The said meeting was captured in the CCTV footage.

4. During the course of the investigation, the statement of co-accused CCL-A was recorded wherein he stated that the deceased and his brother-in-law had beaten up the applicant a few months ago. He disclosed that while the deceased and the applicant had reached a mutual settlement on that occasion, however, the enmity amongst them still persisted. During the course of the investigation, it was found that on 16.05.2021, the deceased gave beatings to the applicant in respect of which DD NO. 105A and 106A were also received.

5. The applicant was arrested on 14.02.2022 and has been in custody since then.

6. The learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He submits that the applicant has only been roped in the present case based on the disclosure statement of the co-accused persons. He submits that there is no evidence to link the applicant to the alleged offence and that the video footage capturing the meeting of the applicant with the co-accused CCL-A by itself does not suffice to state that the applicant conspired to



commit the alleged offence.

7. He submits that the applicant has been languishing in custody since 14.02.2022 and only 12 out of 28 witnesses have been examined. He submits that in such circumstances, the trial is not likely to conclude in the near future.

8. *Per contra*, the learned Additional Public Prosecutor for the State vehemently opposes the grant of any relief to the applicant. He submits that the allegations against the applicant are serious in nature. He submits that the applicant had prior enmity with the deceased. He submits that the applicant had conspired with the other accused persons to commit the alleged offence. He submits that after committing the alleged offence, CCL-A had visited the shop of the applicant and the said meeting was captured in the CCTV footage.

9. It is the case of the prosecution that the applicant conspired with the co-accused persons namely CCL-A and Ravi @ Manu to commit the murder of the deceased.

10. At this stage, the case of the prosecution essentially rests on the disclosure statement of the co-accused persons and the CCTV footage capturing the alleged meeting between CCL-A and the applicant. It is also alleged that the CCL-A had put a story on Instagram from the phone of applicant regarding commission of crime. It is not in doubt that in certain circumstances, circumstantial evidence is sufficient for the conviction of accused persons. The same, however, has to be seen after the entire evidence is led.

11. It is not the case of the prosecution that the applicant had inflicted any stab injuries on the deceased which led to his death.



Whether the applicant was complicit in the commission of the alleged offence or not would be examined during the course of the trial, however, at this stage it cannot be ignored that the applicant is in custody since 14.02.2022 and only 12 out of 28 witnesses have been examined.

12. The object of jail is to secure the appearance of the accused during the trial. The object is neither punitive nor preventive and the deprivation of liberty has been considered as a punishment.

13. The applicant is therefore admitted on bail and is directed to be released on furnishing a personal bond for a sum of ₹20,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. 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;
- b. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court;
- c. The applicant shall appear before the learned Trial Court as and when directed;
- d. 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;
- e. 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.

14. In the event of there being any FIR/DD entry/complaint lodged against the applicant, it would be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

15. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

16. The bail application is allowed in the aforementioned terms. Pending applications also stand disposed of.

AMIT MAHAJAN, J

SEPTEMBER 8, 2025

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