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

+ BAIL APPLN. 3020/2025

HIMMAT SINGH

.....Petitioner

Through: Mr. Alok Bachawat & Mr. Ishan Jain,
Advts.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastav, APP for the
State with SI Satish Bhati, PS Sarita
Vihar.

27

AND

+ BAIL APPLN. 3265/2025

RAHUL KUMAR

.....Petitioner

Through: Mr. Alok Bachawat & Mr. Ishan Jain,
Advts.

versus

STATE OF GOVT OF NCT DELHI THROUGH SHO & ANR.

.....Respondents

Through: Mr. Yudhvair Singh Chauhan, APP for
the State with SI Satish Bhati, PS
Sarita Vihar.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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15.09.2025

1. These are petitions for the grant of anticipatory bail filed on behalf of the petitioners Himmat Singh & Rahul Kumar in case FIR no. 0286/025 under Sections 115(2)/126(2)/3(5) BNS, registered at PS Sarita Vihar.



2. Learned APP files the status report which is taken on record.
3. Ld. Counsel appearing for the petitioners submits that present FIR is nothing but a counterblast to the previous FIR no. 328/2023 wherein the complainant assaulted the petitioner using the Axe (Kulhadi). He further submits that complaints have also been lodged against the complainant for indulging into illegal activities of liquor and drugs. He further states that the complainant and his associates are seen proceeding to the spot armed with lathis and dandas in the CCTV footage which shows that the complainant's story is totally false and baseless.
4. It is further submitted that other co-accused persons have since been enlarged on bail and petitioners are not required for any custodial investigation.
5. Bail application has been opposed by Ld. APP submitting that the allegations are grave and serious in nature. Petitioners are required for custodial investigation to unearth the conspiracy and for the purpose of recovery of weapon of offence. The Ld. APP has produced the photographs of the injured Kapil and Urmila to show that they were brutally beaten by the petitioners. He further submits that both petitioners have been evading their arrest and proceedings under Section 84 BNSS are going on against them and proclamation has already been issued.
6. As per allegations, both petitioners had beaten Kapil and on hearing his shouts when his family members Vinod and his sister-in-law Urmila Devi came to his rescue, they were also beaten up with sticks due to which they suffered injuries.
7. During investigation, the Investigating Officer collected the MLCs of the injured. As per the opinion that of the doctor, the injuries suffered by



complainant Kapil and Urmila are grievous in nature. The photographs show that complainant suffered head injury.

8. The status report further reveals that both the petitioners have been evading their arrest so much so the proceedings under Section 84 BNSS have already been initiated against them and proclamation already issued.

9. The status report further reveals that petitioner Himmat is involved in 5 criminal cases. The weapon of offence is yet not recovered and, therefore, custodial investigation of the petitioners is required for the purpose of recovery of weapon of offence. The CCTV footage relied upon by the petitioners is subject matter of investigation and cannot be considered at this stage.

10. Keeping in view the entire the facts and circumstances as also the fact that proclamation has already been issued against the present petitioners and petitioners are required for custodial investigation as also considering the nature and gravity of allegations, the Court is of the view that petitioners are not entitled for the grant of pre arrest bail.

11. Petitions accordingly stand disposed of.

RAVINDER DUDEJA, J

SEPTEMBER 15, 2025/gs/sk