



\$~10

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

+ **BAIL APPLN. 3237/2025**

AMAN @ MAKKHI

.....Petitioner

Through: Mr. Rahul Raheja, Advocate.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Ajay Vikram Singh, APP for the
State

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

13.10.2025

1. First Bail Application under Section 483 of the Code of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the Petitioner, Aman @ Makkhi for grant of Regular Bail in Case FIR No. 131/2024 under Section 307/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) and Section 25/27 of the Arms Act, registered at Police Station Khyala.

2. It is submitted in the Application that the Complaint was made against the Applicant and another co-accused, by Mr. Gurprit singh on 29.02.2024 on which the present FIR was registered. It is submitted that the Applicant along with the other co-accused has been implicated falsely in this Case. It has been falsely alleged that the Complainant sometime ago, had borrowed money from the Applicant, which he was unable to return for some reason. It is stated in the Complaint that on 28.02.2024, he along with his friend, Mani @ Gurpreet Singh, was going on the scooty from his house, when at about 08:00 p.m. near Shed Mata Mandir, they found the Applicant and his



friend, Inderjeet @ Rohit @ CID, who began to ask him for money and when he was unable to do so, they got infuriated and said that they would finish him. Aman @ Makkhi attacked him with a knife, which he took out from the pocket of his pant, while the co-accused also attacked with the help of iron rod on his head and thereafter, they ran away from the spot. The said FIR got registered.

3. The First Bail Application was dismissed by the learned ASJ *vide* Order dated 03.04.2025.

4. The Bail is sought **on the ground** that the Applicant is in judicial custody since 29.02.2025. There are no independent witnesses to associate the Applicant with any seizure memos, which create a doubt about the Prosecution story. He is a young man of 26 years and is behind the bar since 29.02.2024. The Charges have already been framed under Section 307/34 of IPC and Section 25/27 of the Arms Act. He is no longer required for the investigation.

5. The co-accused has already been granted Bail by this Court *vide* Order dated 11.03.2025. The Applicant has old aged parents and there is no caretaker in the family.

6. Only one Prosecution witness has been examined till date. The Applicant has clean antecedents. Reliance has been placed on Dataram Singh vs. State of Uttar Pradesh; Sanjay Chandra vs. CBI, 2012(1) SCC 40 and Sunil Kumar Sambhudayal Gupta vs. State of Maharashtra, 2011, Cr.LJ705 (714) (SC). A prayer is, therefore, made that he be granted Bail.

7. **Status Report** has been filed on behalf of the State wherein it is stated that the knife, which is the weapon of offence, was recovered at the instance of the Applicant on 29.02.2024. The MLC has opined the nature of



injuries as ‘**simple in nature**’ though the final opinion on external injury No. 1 (Incised wound (L) cheek zygomatic area 2x1x1 CM) is grievous in nature. The Charge-Sheet has already been filed.

8. It is submitted that the Applicant has previous involvement in 34 Cases. The FSL Report has been received, which is filed along with the Supplementary Charge-Sheet. The blood of the victim was found on the clothes of the Applicant.

9. The Bail is also opposed on the ground that the role of the Applicant is specific and grave in so much as that he inflicted repeated knife blows on the vital body parts of the Complainant, who survived only due to timely medical intervention or else the consequences could have been fatal.

10. The Applicant is a habitual criminal and his Bail poses a serious threat on influencing the witnesses, threatening the Complainant and repeating the heinous crimes. Release of the offender at this stage would prejudice the fair administration of justice.

11. Submissions heard and the record perused.

12. The allegations against the Applicant, are that on the date of incident i.e. 28.02.2024, he along with the co-accused, had attacked the Complainant and inflicted injuries on the vital body parts with a knife and the co-accused had inflicted injuries with an iron rod. The Applicant is in judicial custody since 29.02.2024. Though the Charge-Sheet has been filed but it is submitted that the Complainant has not appeared for the last four dates, as he himself is in judicial custody,

13. Considering the inordinate delay and also that the co-accused, who had a similar role, has already been granted Bail by the Co-ordinate Bench of this Court, the Applicant/Petitioner 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 his residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.
14. The copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court.
15. The Bail Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J

OCTOBER 13, 2025/RS