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

+ **BAIL APPLN. 3262/2025 & CRL.M.A. 25381/2025**

VIRENDER KUMAR

.....Petitioner

Through: Mr. Vidur Mohan and Ms. Prachi
Batra, Advocates

versus

STATE GNCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State with
SI Sunil Chandra
Mr. Nischal Tripathi, Advocate for
Complainant

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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08.10.2025

1. First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 has been filed on behalf of the **Applicant/Virender Kumar** seeking **Regular Bail** in FIR No. 0566/2024 registered under Sections 110/115(2)/333/3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023, at P.S. Ambedkar Nagar.
2. It is submitted that the Regular Bail Application filed by the Applicant has been dismissed by the learned ASJ on 08.01.2025. The Chargesheet has already been filed against the Applicant on 11.03.2025. He is in Judicial Custody since 13.12.2024. He had been granted interim Bail and he abided by the conditions and surrendered on time. The Applicant has been implicated falsely in this case.
3. The reliance has been placed by the IO on CCTV footage which captures the entire incident which happened on 09.11.2024. From the CCTV



footage, it can be seen that Tushar and the Complainant was bringing a stick from his house. It can also be seen that Applicant was not using any stick; in fact he was trying to prevent and breakup the alleged fight. The Applicant did not hit the Complainant who was admitted in ICU. Furthermore, in the Chargesheet, no role has been specifically assigned to the Applicant.

4. The Chargesheet already stands filed in the Court. The Applicant is a senior citizen aged about 63 years and is a permanent resident of Delhi. He works on contract basis as Office Superintendent in the Ministry of Minority Affairs. He works with an Agency RS Group, provides Multi Task Staff to several Government Organizations. The Applicant is therefore not likely to abscond if released on Bail. He has clean antecedents. He is no longer required for recovery of alleged offence.

5. *Hence, a prayer is made for grant of Bail.*

6. The *learned Counsel for the Applicant* submits that the matter already stands compromised with the Complainant. The Complainant is present in the Court, who submits that not only has the matter been compromised, but he has no objection to the grant of Bail.

7. The **Status Report has been filed on behalf of the State** and the same is taken on record. The *learned Counsel for the State* submits that the Chargesheet has already been filed against the Applicant along with 05 co-accused persons.

8. The Bail is opposed on the ground that Applicant was actively involved and is also visible in the CCTV footage. He along with other Accused persons, had intentionally targeted the victim's family and inflicted injury on them by giving merciless beatings with sticks and fists on vital part of the body of the Victim. The offence committed is serious in nature and



there are chances of his influencing the witnesses.

Submissions heard and record perused.

9. Essentially, the allegations in the FIR are that on the date of incident i.e. 09.11.2024 at about 10:30 P.M. the Complainant and his brother (Abhishek) were present on the First Floor and their brother (Tushar) on the Ground Floor. The Applicant Lalit @ Nandi and his sons Deepak, Kuldeep and Virender with whom the Complainant's family is having an old rivalry, reside in their neighbourhood. An earlier case against Abhishek has been registered by the Assailants.

10. At about 10:30 P.M., these neighbours had lit up a fire and the smoke from that fire was entering the street and the house of the Complainant. When Tushar came out of the house at 10:45 P.M., Kuldeep and his mother, Suresh started abusing the brother. On hearing their voices, the Complainant and his brother (Abhishek) came downstairs on which the Applicant along with the other co-accused, started giving them beatings with *dandas* and severally assaulted them. On his Complaint, the FIR was registered.

11. Admittedly, there is an old rivalry between the family of the Complainant and the Applicant and the other Assailants. The fight took place on account of smoke coming into the house of the Complainant from the fire set up by the Assailants. As per the allegations, the beatings were given to the Complainant and the other injured persons with sticks and were severally beaten by Applicant and the other co-accused. As per the MLC, the injuries suffered by the Complainant are stated to be *grievous* in nature.

12. In the present case, the co-accused Lalit Kumar has already been granted Anticipatory Bail. The Applicant is in Judicial Custody since 13.12.2024. The Chargesheet already stands filed.



13. Moreover, the matter has been settled with the Complainant who is present in the Court and has no objection to the grant of Bail.

14. Considering the totality of circumstances, the Applicant is granted Regular Bail, on the following terms and conditions:

- a) The Applicant/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 Applicant/Accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The Applicant/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 Applicant/Accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.
- e) In case the Applicant/Accused changes his residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

15. The copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court for information and compliance.

16. The Bail Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J

OCTOBER 8, 2025

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