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

+ **BAIL APPLN. 3321/2025**

HARENDER @ SURAJ @ SARBU

.....Petitioner

Through: **Ms. Sanya Kumar, Adv.(DHCLSC)**

versus

STATE (NCT OF DELHI)

.....Respondent

Through: **Ms. Priyanka Dalal, APP with SI
Neelam PS Swaroop Nagar.**

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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08.12.2025

BAIL APPLN. 3321/2025

1. This is an application filed on behalf of the petitioner for the grant of regular bail in case FIR no. 410/2019, registered at PS Swaroop Nagar, under Sections 302 IPC.
2. The Ld. Counsel who appears for the petitioner states that there is no direct evidence in this case and the present case is based only on circumstantial evidence and one of the key witnesses of the prosecution who is the witness of last seen evidence was partly examined on 19.10.2022. His remaining examination-in-chief was deferred for want of FSL result. She further submits that FSL result has since been filed in November, 2022 and despite the same, his examination is yet not complete. She further submits that petitioner has been in custody for last more than six years.
3. The Ld. APP who appears for the State submits that the next date listed before the Trial Court is 03.01.2026 for remaining prosecution



evidence and that opportunity may be granted to the prosecution to complete the testimony of PW-2 Tejpal.

4. Since, Tejpal is the witness of last seen, he is most relevant witness of the prosecution.

5. The bail application is disposed of with direction to the Investigating Officer to produce PW-2 Tejpal as also the case property before the Trial Court on the next date fixed i.e. 03.01.2026.

6. The Ld. Trial Court is also directed to conclude the examination/cross-examination of PW-2 on 03.01.2026, and in any case if such examination is not completed on that date, the case be taken up on day to day basis for completion of such examination.

7. The petitioner would be at liberty to file bail application subsequent to the examination of the PW-2 if so advised.

RAVINDER DUDEJA, J

DECEMBER 8, 2025/lks/na