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

+ **BAIL APPLN. 3362/2025**

SUJEET KUMAR @ GUJJAR

.....Petitioner

Through: Mr. Shubham Yadav, Mr. Varun
Gupta, Mr. Sarjeet Chauhan,
Ms. Minakshi Baisoya and
Mr. Chandan Kumar, Advocates

versus

THE STATE (N.C.T. OF DELHI)

.....Respondent

Through: Mr. Utkarsh, APP for the State

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

12.12.2025

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1. First Bail Application under Section 483 B.N.S.S. has been filed on behalf of the Petitioner for grant of Regular Bail in FIR No. 0438/2019 under Section 307 IPC and Sections 25/54/59 Arms Act, registered at P.S. Samaypur Badli, Delhi.
2. It is submitted in the Bail Application that the Applicant has been arrested on baseless cases, no useful purpose would be served by keeping him in judicial custody with hardcore criminals. Applicant is the one and only earning members of his family and belongs to a farmer family. No fair and balanced inquiry was conducted by the Investigating Officer. No offence is made out against the Applicant. He has not committed any offence. He is ready to give undertaking that he shall not tamper with the evidence and shall abide by the conditions.



3. The Applicant states that he was arrested for the first time by the Police on 28.06.2019. His permanent address is of Bihar. The investigations were already concluded and the Chargesheet was filed. The Applicant got Interim Bail *vide* Order dated 01.06.2021 and he went to his native village at Darbhanga, Bihar for treatment of his leg. The NBWs were issued against the Applicant by the learned ASJ on 22.11.2021 at rented accommodation of Delhi, but the Petitioner was residing at his permanent address in Bihar. Eventually, Section 82 Cr.P.C. proceedings initiated. These proceedings concluded on 15.12.2022 and thereafter, he was declared a Proclaimed Offender on 03.07.2023 and the file got consigned to record room on 06.09.2024. The Applicant got arrested from his permanent address in Bihar on 22.03.2025.

4. It is claimed that the Complainant did not suffer any grievous injury as per the MLC and the injuries suffered was simple. The Bail Application has been dismissed by learned ASJ on 21.04.2025. The charges are yet to be framed. There are serious lacuna in the prosecution's case as the IO had not seized and deposited the case property, i.e. the knife in the malkhana. The last Bail Application of the Applicant got dismissed on 18.08.2025 by the learned ASJ.

5. Reliance is placed on Sanjay Chandra vs. CBI, AIR 2012 SC 830 and State of Rajasthan vs. Balchand, (1977) 4 SCC 308 and it is submitted that he may be admitted to Bail.

6. The Status Report has been filed on behalf of the State wherein it is submitted that the Applicant has committed heinous offence under Section 307 IPC for inflicting multiple stab injuries with a deadly weapon with clear intention to cause death. His conduct shows that he is a habitual absconder



having availing Interim Bail, he deliberately avoided surrender and remained underground for a long period, and was declared a Proclaimed Offender. There is high likelihood that he may abscond again if released on bail.

7. The FSL result is pending. The violent behaviour, past conduct, and the gravity of the offence indicate that he poses a threat to public safety and his release on Bail is likely to prejudice the administration of justice. The Bail Application is, therefore, opposed.

Submissions heard and record perused.

8. As per the record, the Applicant had absconded while he was granted Interim Bail *vide* Order dated 01.06.2021. It is only on 11.03.2025 that he got arrested. The Applicant had been declared a Proclaimed Offender and after recording of statements of the witnesses, the file has been consigned to record room.

9. The Applicant submits that there has been inordinate delay in the trial and the charges are yet to be framed. There are 12 prosecution witnesses to be examined.

10. It cannot be overlooked that it is the conduct of the Applicant which is responsible for the delay, the benefit of which cannot be claimed by him.

11. Considering the gravity of the offence as well as the conduct of the Applicant, no ground for Bail is made out.

NEENA BANSAL KRISHNA, J

DECEMBER 12, 2025

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