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

+ **BAIL APPLN. 3355/2025**

ROHAN

.....Petitioner

Through: Mr. Mayank Jain and Mr. Vineet Jain,
Advocates.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State with
Ms. Vasudha Daya and Mr. Pardeep
Soni, Advocates.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

29.10.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 102/2023, registered at Police Station Timar Pur, for the commission of offences punishable under Sections 307/34 of Indian Penal Code, 1860 (hereafter 'IPC') read with Sections 25/27 of Arms Act, 1959.

2. Briefly stated, the facts of the present case are that the present case was registered on the complaint made by Sagar, on 01.02.2023. The complainant reported that when he, along with the victim Avtar, had gone to ask the accused persons to stop abusing and making noise in the street, Avtar was shot in the abdominal region by one of the accused. After the incident, the accused persons had fled the spot. During the investigation, one of the co-accused/Vivek Kumar Thakur, a resident of Gopalpur, Delhi, was



arrested, who had allegedly, with the help of his associates and the present applicant/accused, committed the offence in question. The victim, Avtar, had been initially admitted to Trauma Centre, Civil Lines, Delhi, and later shifted to Sunflag Global Hospital, Rohtak, where he had remained hospitalized for over a month. The victim was left paralyzed in one leg due to the bullet being lodged in his spinal column. Two motorcycles, Hero Splendor and Honda Dream Yuva, used in the offence were recovered from co-accused/Vivek Kumar. He had also disclosed the names of two associates, Sunny (Rahul @ Sandeep) and Rohan i.e, the present applicant/accused. Sunny was declared a proclaimed offender, and proceedings under Section 82 of Cr.P.C. were initiated against present applicant/Rohan. Subsequently, both of them were arrested, and a semi-automatic pistol used in the offence was recovered at Rohan's instance. Additionally, a 'CCL was also apprehended. A supplementary charge-sheet was filed after the completion of the investigation.

3. The learned counsel appearing on behalf of the applicant/accused argues that the applicant has been falsely implicated in the present case and he has been in judicial custody for last about one and a half years. It is submitted that no *prima facie* case is made out against the applicant, as there is not even an iota of evidence to suggest his involvement in the alleged offence. It is further argued that the co-accused/Vivek Kumar in the present case has already been granted bail *vide* order dated 17.01.2025, passed by this Court. The learned counsel argues that except for the disclosure statement of the co-accused, there is no material on record to connect the applicant with the alleged offence. Therefore, it is prayed that the applicant/accused be released on regular bail.



4. The learned APP for the State, on the other hand, opposes the present bail application. It is argued that the allegations against the present applicant/accused are serious in nature. It is also contended that the victim in this case was seriously injured and if he is granted bail at this stage, he will jump the bail and abscond. However, it is stated that the trial has been delayed due to the present applicant. Therefore, it is prayed that the present bail application be dismissed.

5. This Court has heard arguments addressed by the learned counsel appearing for the applicant as well as State, and has perused the material on record.

6. This Court is of the considered view that the applicant/accused was taken into custody on the basis of the disclosure statement made by the co-accused, Vivek Kumar Thakur, who has already been granted bail *vide* order dated 17.01.2025, passed by this Court. It is pertinent to note that the nature of allegations levelled against the co-accused, Vivek Kumar Thakur, and the applicant/accused are similar.

7. Considering the overall facts and circumstances of the case, and for the reasons recorded hereinabove and the fact that the present accused/applicant has been in judicial custody for last about one and a half years and the trial in the present case will take considerable time to conclude, this Court is inclined to grant regular bail to the applicant on his furnishing personal bond in the sum of Rs.10, 000/- with one surety of the like amount to the satisfaction of the Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a



passport, he shall surrender the same to the concerned trial court.

- ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court and IO/SHO concerned.
- iii) The applicant shall appear in Court on every date of hearing unless exempted;
- iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
- v) The present applicant/accused herein will not seek any adjournment when the witnesses are examined before the learned Trial Court.

8. Accordingly, the present application stands disposed of.

9. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

OCTOBER 29, 2025/vc