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

+ **BAIL APPLN. 3455/2025**

SHIVAM NAGAR

.....Petitioner

Through: Mr. Sumit Rawat and Mr. Keshav
Nagi, Adv.

versus

THE STATE GOVT OF NCT DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

03.11.2025

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1. By way of present application, the applicant is seeking grant of regular bail in FIR No. 225/2025, dated 18.04.2025, registered at Police Station Mandawali, East Delhi, Delhi, for the commission of offences punishable under Section 109(1) of Bharatiya Nyaya Sanhita (hereafter 'BNS') and Sections 25/27 of the Arms Act, 1959.
2. The brief facts of the present case are that on 17.04.2025, at around 11:00 PM, the complainant had gone to a nearby grocery shop from his house to purchase some household items. When he had reached near the shop of Nemchand Halwai, situated at Moji Chowk, Dheeraj Block, South Ganesh Nagar, the present applicant/accused, who resides near the complainant's house, had arrived there in an intoxicated condition, and had attacked the complainant with a knife, two-three times, causing injuries to his chest. After assaulting the complainant, the applicant had fled from the



spot in an e-rickshaw. Subsequently, the present FIR was registered against the applicant.

3. The learned counsel appearing for the applicant/accused argues that the charge sheet in the present case has already been filed, and therefore, the custody of the applicant/accused is no longer required for further investigation. It is argued that the MLC of the complainant opines that the injury sustained by him was simple in nature. It is also argued that the applicant/accused has been in judicial custody for more than six months, and there are no independent witnesses to the incident; thus, there is no likelihood of the applicant/accused tampering with the witnesses. Accordingly, it is prayed that the applicant/accused be released on regular bail.

4. The learned APP for the State, on the other hand, argues that the allegations against the applicant are serious in nature. It is argued that the applicant/accused had used a sharp-edged weapon, i.e., a knife, to attack the complainant on a vital part of the body, i.e. his chest, and the said weapon was voluntarily produced by the applicant/accused during investigation. Therefore, it is prayed that the present bail application be dismissed.

5. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material on record.

6. This Court, after perusal of the material on record, notes that the MLC of the complainant reveals that the injuries sustained by him were 'simple' in nature. Further, the present applicant/accused has been in judicial custody for more than six months, and the charge sheet has already been filed against him. This Court also notes that the applicant/accused has clean no previous involvement in any criminal case, other than the present one.



7. Considering the overall facts and circumstances of the case, including the period of custody undergone by the applicant and the nature of injuries sustained by the complainant, this Court is inclined to grant regular bail to the applicant/accused 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.

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

NOVEMBER 03, 2025/A