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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 3379/2023 & CRL.M.A. 26505/2025,
CRL.M.(BAIL) 1715/2025

MOHD SAIR

.....Applicant

Through: Mr. Pritish Sabharwal
along with Ms. Shweta
Singh & Mr. Sanjeet
Kumar, Advs.

versus

STATE

.....Respondent

Through: Mr. Rahul Tyagi, ASC
(CrI) for the State along
with Mr. Sangeet Sibou,
Mr. Abhishek Tomer &
Mr. Aniket Kr. Singh,
Advs.
Insp. Chetan Singh, PS
Khyala, Insp. Amit, PS
K.M. Pur & Insp. Arvind
Kumar DIU/IF.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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19.11.2025

1. The present application is filed by the applicant seeking regular bail in FIR No. 121/2020 dated 06.02.2020, registered at Police Station Khyala for the offence under Section 302 of the Indian Penal Code, 1860 ('IPC')
2. Concededly, the present bail application has been pending before this Court from last more than two years and could not be heard for some reason or the other on the requests for adjournment by the parties.
3. Lot of circumstances have changed during the pendency of the present application.



4. The learned counsel for the applicant submits that during the pendency of the present application, all the material witnesses have since been examined.
5. The learned Additional Standing Counsel for the State though states that some of the public witnesses are yet to be examined.
6. Be that as it may, there has been a considerable change in circumstances which entitles the applicant to file a bail application afresh.
7. The applicant has also spent more than five years in the custody.
8. In view of the above, the present application is disposed of with liberty to the applicant to file an application seeking bail afresh before the learned Trial Court.
9. As and when any such application is filed, the learned Trial Court is requested to decide the same on its own merits expeditiously.
10. It is also made clear that this Court has not expressed any opinion on the merits of the case.
11. Pending applications, if any, also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 19, 2025

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