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

+ BAIL APPLN. 3503/2025

SHAMSHAD MALIK @BHURI

.....Petitioner

Through: Mr. Jitendra Rexwal, Mr. Tayyab Khan, Mr. Sahil Khan, Ms. Saba, Mr. Ashif Khan, Advocates.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aashneet Singh, APP for the State with SI Raghuraj Singh, PS Sangam Vihar.
Mr. Nikhilesh Kumar, Ms. Shivani, Advocates for the Complainant.

+ BAIL APPLN. 3576/2025

SABU @ MD. GULDIN

.....Petitioner

Through: Mr. Jitendra Rexwal, Mr. Tayyab Khan, Mr. Sahil Khan, Ms. Saba, Mr. Ashif Khan, Advocates.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aashneet Singh, APP for the State with SI Raghuraj Singh, PS Sangam Vihar.
Mr. Nikhilesh Kumar, Ms. Shivani, Advocates for the Complainant.

+ BAIL APPLN. 3612/2025

SHEHDOOD ALAM(SHEHDOOD)

.....Petitioner

Through: Mr. Jitendra Rexwal, Mr. Tayyab



Khan, Mr. Sahil Khan, Ms. Saba, Mr.
Ashif Khan, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Aashneet Singh, APP for the
State with SI Raghuraj Singh, PS
Sangam Vihar.
Mr. Nikhilesh Kumar, Ms. Shivani,
Advocates for the Complainant.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
28.11.2025

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1. These applications seek pre-arrest bail in FIR No. 389/2025 under Sections 110/3(5) of the Bharatiya Nyaya Sanhita, 2023¹ registered at P.S. Sangam Vihar. The FIR was registered on a complaint lodged by the injured/Complainant, Mukesh Kumar.
2. According to the Prosecution, on 18th August, 2025, information was received regarding a quarrel that had taken place in Gali No. 9, G-Block, Sangam Vihar. On reaching the spot, it was found that the injured/Complainant had already been shifted to Batra Hospital. As per the MLC, the Complainant had sustained lacerated wounds on the forehead and scalp, along with swelling on the left hand, and the opinion recorded was "A/H/O Physical Assault." The statement of the Complainant was thereafter recorded, wherein it was disclosed that the incident arose out of a property dispute between the Applicants and the Complainant.

¹ "BNS"



3. It is also pointed out that Shamshad Malik @Bhuri (Applicant in BAIL APPLN. 3503/2025) had also lodged a complaint against the Complainant on 3rd July, 2025 followed by another complaint, which culminated into a cross-FIR bearing No. 393/2025, registered at P.S. Sangam Vihar under Sections 115(2)/126(2)/351/3(5) of the BNS, in which the Complainant is arrayed as the accused.

4. Mr. Aashneet Singh, APP for the State, states that the injuries sustained by the Complainant were simple in nature, and that he was discharged on the same day as his admission, and also recorded his statement on that day itself.

5. In compliance with the directions of this Court, the Applicants have joined and are cooperating in the investigation. They have also provided a DVR of the CCTV cameras installed at the place of the Applicants for the relevant period.

6. The Supreme Court has repeatedly emphasized that the provision of anticipatory bail, under Section 438 Cr.P.C., is rooted in Article 21 of the Constitution of India, which guarantees personal liberty. Section 438 aims at protecting the personal liberty of an individual, who, at the time of seeking anticipatory bail, has not been convicted of the alleged offence and is entitled to the presumption of innocence.² In the totality of the aforesaid circumstances, the Court is inclined to allow the request.

7. In view of the foregoing, the applications are allowed. The Applicants, shall continue to co-operate in the investigation and in the event of arrest, be released on bail on furnishing a bail bond for a sum of INR

² Gurbaksh Singh Sibbia and Others v. State of Punjab, (1980) 2 SCC 565; Siddharam Satlingappa Mhetre v. State of Maharashtra and Others, (2011) 1 SCC 694.



25,000/- with two sureties of the like amount subject to the satisfaction of the concerned SHO, on the following conditions:

- a. The Applicants shall join and cooperate with the investigation as and when directed by the IO;
- b. The Applicants shall not leave the boundaries of the country without informing the IO/ SHO concerned;
- c. The Applicants shall not contact the witnesses or tamper with the evidence in any manner;
- d. The Applicants shall give their mobile numbers to the concerned IO/SHO and shall keep their mobile phones switched on at all times;
8. In the event of there being any FIR/DD entry / complaint lodged against the Applicants, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.
9. It is clarified that any observations made in the present order are for the purpose of deciding the present bail applications and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.
10. The applications are allowed in the afore-mentioned terms.
11. Copy of the order be communicated to the concerned Trial Court for necessary information and compliance.
12. Disposed of, along with pending applications.

SANJEEV NARULA, J

NOVEMBER 28, 2025/ab