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

+ **BAIL APPLN. 3876/2025**

VIKAS @ NAKUL @ PK

.....Petitioner

Through: Mr. Anuj Kapoor, Mr. Shivom Sethi
and Mr. Nandeesh Nanda, Advocates

versus

THE STATE (GOVT. OF NOT) DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with ASI Hukam Singh, Crime
Branch

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

01.12.2025

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 108/2016, registered at Police Station Crime Branch, Delhi for the commission of offence punishable under Sections 186/353/307 of the Indian Penal Code, 1860 (hereafter 'IPC') and Sections 25/27 of the Arms Act, 1959.
2. Issue notice. The learned APP accepts notice on behalf of the State.
3. Briefly stated, the facts of the present case are that on 29.06.2016, information was received by the Special Team, Crime Branch, Prashant Vihar, through HC Parveen, that a dreaded and wanted criminal, Vikash @ PK, would be travelling on a motorcycle bearing No. DL1SQ1049 at Ghevra-Nizampur Road, Delhi, and would be carrying illegal firearms.



Acting on this information, a raiding team had immediately proceeded to the location and laid a trap. At about 2:50 PM, the present accused was intercepted. He had allegedly attempted to flee and fired upon HC Parveen with intent to kill. He was, however, apprehended on the spot. A 9 mm pistol, one .32 bore country-made pistol, and a total of 8 live cartridges were recovered from his possession. Accordingly, the present FIR was registered, and the accused was arrested. During investigation, the seized arms and ammunition were sent to the Ballistics Division, FSL Rohini, *vide* No. FSL-2016/F-5122, and the FSL report was received on 28.07.2016. After completion of investigation, chargesheet was filed before the concerned Court.

4. The learned counsel appearing on behalf of the applicant submits that the investigation in the present case already stands concluded and the chargesheet has long been filed. It is argued that there is no further recovery to be effected from the applicant, and his further custodial interrogation is not required. It is further contended that the applicant is willing to abide by any stringent conditions imposed by this Court. It is also submitted that the delay in the trial cannot be attributed to the applicant, and that continued incarceration would amount to pre-trial punishment.

5. The learned APP for the State, on the other hand, argues that the applicant herein was granted bail by the learned Trial Court in the year 2018; however, he had absconded thereafter and was consequently declared a proclaimed offender on 01.07.2019. It is submitted that the applicant is involved in 25 criminal cases, including a case under the provisions of MCOCA. It is further stated that only 05 out of 13 prosecution witnesses have been examined till date, and the applicant's release may hamper the



progress of the trial. Therefore, it is prayed that the bail application be rejected.

6. This Court has **heard** arguments addressed on behalf of the applicant and the State, and has perused the case file.

7. The present case pertains to allegations of the applicant having fired upon a police officer with intent to kill, and being found in possession of illegal firearms and live ammunition. Concededly, the applicant herein had been granted regular bail by the learned Trial Court itself in the year 2018. However, he had later absconded and was arrested only on 12.05.2020. Since then, the applicant has been in judicial custody.

8. Considering the aforesaid facts and circumstances of the case, the period of incarceration, and the fact that the trial will take time to conclude, this Court is inclined to grant regular bail to the applicant, on his furnishing personal bond in the sum of Rs.20,000/- with one surety of the like amount, subject to the satisfaction of the learned 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 regularly before the learned Trial Court, 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.

9. Accordingly, the present bail application stands disposed of.
10. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.
11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

DECEMBER 01, 2025/ns

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