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

+ **BAIL APPLN. 4125/2025**

SHYAM VISHWAKARMA

.....Petitioner

Through: Mr. Pradeep Kumar Pandey, Ms.
Garvita Bhola & Ms. Farhat Bano,
Advocates

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Aman Usman, APP with Mr.
Manvendra Yadav, Advocate
Inspector Dinesh Kumar, PS Punjabi
Bagh is also present in person

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **17.12.2025**

1. This is an application filed on behalf of the applicant/accused for grant of regular bail in case FIR No. 307/2022, under Section 302 IPC, PS Punjabi Bagh.
2. The learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in the present case. She states that all the alleged eye witnesses are the close relatives of the deceased and are therefore interested witnesses. It is further submitted that complainant as also the two eye witnesses have already been examined. There are inconsistencies and contradictions in their testimonies. She further submits that the deceased was a habitual drunkard and was a drug addict and at the time of incident, he was highly intoxicated, due to which, he lost his control



and fell down from the edge of the roof where he was standing.

3. It is also submitted that applicant has been in judicial custody since 30.03.2022 and his further detention would not serve any purpose. It is submitted that the applicant is the sole bread-earner of his family, having the liability of his wife and three minor children.

4. It is submitted that applicant was granted interim bail but he did not misuse the liberty of grant of bail and therefore there is no likelihood of his absconding or fleeing from justice or tampering with the prosecution evidence.

5. Bail application has been vehemently opposed by the learned APP, who has argued on the line of status report. He submits that the complainant and the eye witnesses Shivam and Manish have already been examined and they have supported the prosecution version. It is argued that the allegations are grave and serious in nature, and therefore, applicant is not entitled for the grant of bail.

6. As per allegations, in the intervening night of 29/30.03.2022, the deceased was eating food and was consuming liquor with the applicant. The applicant started abusing the deceased and pushed him into the basement with intention to kill him, resulting in fatal injuries.

7. The trial court in its order dated 04.09.2025, while dismissing the bail application of the applicant, observed that all the three eye witnesses of the incident have broadly supported the prosecution case. It has also recorded that during the quarrel, applicant stated "*Thahar Jaa, Aaj Tujhe Khatam Kar Deta Hoon/Aaj Tera Kaam Tamam Kar Dunga*", and thereafter, pushed the victim in the under construction basement from the ground floor, due to which, the head of the deceased struck against an iron angle. Thus, it is a



case pre-meditated murder.

8. The allegations, as seen, are grave and serious in nature. 18 witnesses out of 31 cited by the prosecution have already been examined. The learned APP states that the remaining witnesses are the formal witnesses of investigation and in all likelihood, the trial shall be completed within next six months.

9. Keeping in view the nature and gravity of allegations, as also the quality of evidence on record, the Court is not inclined to grant bail to the applicant at this stage.

10. The application is therefore dismissed.

RAVINDER DUDEJA, J.

DECEMBER 17, 2025

RM