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

+ **BAIL APPLN. 4161/2025**

RAHEES ALIAS MOHAMMAD RAHISPetitioner

Through: Mr. Nadeem Hussain, Advocate
(through VC)

versus

THE STATE OF NCT OF DELHIRespondent

Through: Mr. Manoj Pant, APP for State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

09.12.2025

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1. By way of the present application, the applicant seeks grant of regular bail in FIR bearing no.0075/2017, registered at Police Station Khajuri Khas, Delhi for the commission of offences punishable under Sections 302/307/34 of the Indian Penal Code, 1860 (hereafter '*IPC*').
2. Briefly stated, the case of the prosecution is that on 14.02.2017, information regarding a knife attack was received *vide* DD No. 13-B pursuant to receipt of which the concerned police officials had proceeded to the spot, where it was found that the injured persons had already been moved to the hospital. Medical records of injured persons Subarti Khan, Amruddin, Mohammad Saeed, and Abdul Gaffar revealed a history of physical assault at about 9:15 PM on the said date. The statement of eyewitness Wasim was recorded, who stated that a dispute took place at the residence of his sister Rukhsar, during which applicant/accused along with



co-accused persons Parvez, Shoaib, and Nadeem allegedly attacked the injured persons with *chapads* (knives) due to which injuries were inflicted upon the injured persons. On the basis of the said statement and medical evidence of the injured persons, the present FIR was registered. The crime scene was inspected by the Crime Team and FSL, and blood-stained articles and clothes were seized. During treatment, Mohammad Saeed (the deceased) succumbed to his injuries on 15.02.2017, and his post-mortem was conducted at GTB Hospital. The accused persons were subsequently arrested, and pursuant to their disclosure statements, the alleged weapons of offence and blood-stained clothes were recovered. The investigation disclosed that the assault took place when the in-laws of the accused had come to amicably resolve a matrimonial dispute, resulting in the death of Mohammad Saeed and injuries to others.

3. The learned counsel appearing on behalf of the applicant/accused argues that the applicant herein has falsely been implicated in the present case and he has been in judicial custody for last about 08 years. It is also argued that the learned Trial Court has been able to only examine 10 witnesses out of 20 which has been cited by the prosecution. It is therefore stated that on the basis of the long incarceration of the present applicant, he be granted bail.

4. The learned APP appearing on behalf of the State, on the other hand, opposes the present application and argues that there were 04 injured persons in the present case and one of the injured person/deceased had succumbed to the injuries. It is also argued that the present applicant/accused had inflicted the injury due to which one of the injured persons had died. He also draws this Court's attention to the testimonies of



the witnesses examined by the learned Trial Court, who have supported the prosecution case. Therefore, it is prayed that the applicant/accused is not enlarged on bail.

5. This Court has **heard** the arguments addressed by the learned counsel for applicant and learned APP for the State, and has also perused the material on record.

6. This Court notes that the witnesses examined by the prosecution have supported the prosecution case. It is alleged that the present accused/applicant had inflicted multiple stab injuries upon the deceased. The post-mortem examination of the deceased was conducted at the GTB Hospital, during which blood-stained gauze was preserved. As per the post-mortem report, the cause of death has been opined as:

“Haemorrhagic shock as a result of ante mortem injury to the abdomen produced by sharp edge weapon. Injury no.1 is sufficient to cause death in ordinary course of nature.”

7. The contention of the learned counsel for the applicant/accused that the applicant is entitled to bail on the ground of prolonged incarceration is not supported by the record, as on several occasions the cross-examination of witnesses was adjourned due to adjournments sought on behalf of the applicant/accused himself, as reflected in the impugned order as well as the Trial Court record.

8. Considering the seriousness of the allegations, the nature of the injury, and the fact that one of the injured persons had succumbed to injuries inflicted by the applicant, this Court is not inclined to enlarge the applicant on bail at this stage.

9. Accordingly, the present application stands dismissed.



10. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

11. However, the learned Trial Court is directed to ensure that the trial in this case is concluded, preferably within a period of 08 months from the date of receipt of copy of this order.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

DECEMBER 09, 2025/vc/r