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

+ **BAIL APPLN. 4305/2025**

DARSHAN LAL

.....Petitioner

Through: **Mr. R.K. Singh, Advocate**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Naresh Kumar Chahar, APP for
the State with SI Shakti Singh**

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

18.12.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case arising out FIR bearing no. 179/2021, registered at Police Station Darya Ganj, New Delhi, for the commission of offence punishable under Sections 304/308/34 of Indian Penal Code, 1860 (hereafter 'IPC').

2. Briefly stated, the facts of the present case are that on 14.06.2021, on receipt of PCR call at about 10:47 p.m., police had reached the spot and it was found that a white Hyundai Verna car bearing registration No. HR-26BC-2297 had hit a battery rickshaw from behind and the accused had fled from the spot. All the occupants of the rickshaw had sustained injuries and were taken to RML Hospital, where Reshma and Sekh Ketab were declared dead. The statement of the injured Amzad was recorded at the hospital, wherein he stated that after the car had hit their rickshaw, a person sitting



inside the car had told the driver, “*in sabko maaro aur gaadi bhagao*,” pursuant to which the driver again ran over the rickshaw puller and fled from the spot. Thereafter, the vehicle was chased by a public witness, Adil, and was intercepted near Jama Masjid, where the occupants were identified as Darshan Lal (driver), the present applicant/accused, and the co-accused Basant Kumar. Both were subsequently apprehended and handed over to the police.

3. During investigation, medical examination revealed that both the accused persons were under the influence of alcohol, and they were arrested on 15.06.2021. Upon completion of the investigation, charge sheet was filed on 22.12.2021. Charges for commission of offences under Sections 304/308/34 of IPC were framed on 29.03.2022. The case is presently at the stage of recording of prosecution evidence.

4. Learned counsel appearing on behalf of the applicant/accused argues that the allegation against the present applicant/accused is that he was driving the car which allegedly hit the deceased(s) and the injured persons. It is further argued that the applicant/accused has been in judicial custody for the past four years and that the eye-witness, Adil, has already been examined before the learned Trial Court. Learned counsel further contends that the co-accused, Basant Kumar, has already been granted bail by this Court vide order dated 08.09.2025. On these grounds, it is prayed that the applicant be granted regular bail.

5. On the other hand, the learned APP for the State contends that the allegations against the applicant/accused are serious, inasmuch as the applicant/accused, while under the influence of alcohol, had hit five persons with their car, causing the death of two of the victims. It is submitted that 29



out of 38 prosecution witnesses have already been examined, and therefore the present bail application deserves to be dismissed.

6. This Court has **heard** arguments addressed on behalf of the applicant and the State, and has perused the material available on record.

7. Having gone through the records of the case, this Court is of the opinion that it is the case of prosecution that the present applicant was driving the vehicle in question under the influence of alcohol and had hit the injured and deceased persons.

8. It is not disputed that material witnesses, including the eye-witness Adil, have already been examined before the learned Trial Court. The applicant has remained in judicial custody for about four and half years, and needless to state, the trial is likely to take some more time to conclude.

9. Thus, considering the overall facts and circumstances of the case, the fact that material witnesses have already been examined and there is no possibility of influencing or threatening any public witness, and the period of custody undergone by the applicant, this Court is inclined to grant regular bail to the applicant, on his furnishing personal bond in the sum of Rs.10,000/- 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 Trial Court and if the applicant has a passport, he shall surrender the same to the concerned Court.
- ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the



learned Trial 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.

10. Accordingly, the present bail application stands allowed and is disposed of.

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

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

**DECEMBER 18, 2025/ns
ap/gj/rb**