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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4340/2025**
DEEPANSHU @ FUNPetitioner

Through: Mr. Ashutosh Bhardwaj, Mr. Sanju Gupta, Mr. Lalit Kr. Sharma, Mr. Lakshay Tyagi and Mr. Akshay Tyagi, Advocates.

versus

STATE (GOVT. OF NCT OF DELHI)Respondent
Through: Mr. Hitesh Vali, APP.
SI Rajat Khaiwal, P.S. Ranhola.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
01.12.2025

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1. The Applicant is an undertrial in FIR No. 70/2020, under Sections 302/120-B of the Indian Penal Code, 1860 and Sections 25/27/59/54 of Arms Act, 1959 registered at P.S. Ranhola, His regular bail was declined on 14th February, 2025 in *BAIL APPLN. 4716/2014*.
2. The Applicant however seeks an interim bail on account of demise of his uncle (*chacha*). It is stated that the Applicant has been in custody since 27th January, 2020 and has never been released on interim bail. During trial, Applicant's father deceased in 2020, yet interim bail was declined by the Trial Court on the ground that material witnesses were yet to be examined; he was only permitted to attend the funeral in police custody, but by the time he reached the cremation ground, he could pay respect to his father's mortal



remains. It is now stated that the Applicant's uncle has also passed away and there is no other elder male member in the family. In these circumstances, interim bail is sought for a limited period to meet his family and make arrangements for the minor children of the deceased uncle.

3. The Court had called for a status report which confirms the death of Applicant's uncle. It records that he passed away on 3rd November, 2025 and the *tehrvi* was held on 13th November, 2025. Mr. Hitesh Vali, APP for State, submits that, since the last rites have already been performed, there is no pressing requirement for the Applicant's presence. He further submits that the deceased's widow and minor children can be adequately supported by the other family members already residing in the same household, and therefore the Applicant's release is not necessary.

4. The Court has considered the material on record. As per the nominal roll, the Applicant has undergone 5 years, 9 months and 23 days of custody. While his overall jail conduct is reported to be unsatisfactory, his conduct during the last one year is satisfactory. It is also not in dispute that the Applicant has never been released on interim bail.

5. The Court notes that all material prosecution witnesses have already been examined; therefore, the earlier concern of the Applicant influencing witnesses no longer survives.

6. Although the Applicant's presence is no longer required for performance of last rites, nonetheless, there has been a recent bereavement in the family and, on an earlier occasion, the Applicant was unable to grieve with his family upon the demise of his father. In view of the same, and purely on humanitarian grounds, the Applicant is granted interim bail for a period of 12 days from the date of release, on furnishing bail bond of INR



25,000/- with two sureties of the like amount to the satisfaction of the concerned Jail Superintendent / Trial Court / Duty MM, subject to the following conditions:

- (a) The Applicant shall surrender before the Jail Superintendent/Trial Court/ Duty MM, on or before the expiry of 12 days from the date of release;
- (b) The Applicant shall, under no circumstance, leave the NCT of Delhi, without permission of the Trial Court, during the period of his release;
- (c) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, in any manner whatsoever;
- (d) The Applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- (e) The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times;
- (f) The Applicant shall report to the concerned Police Station once every two days, during the entire period of interim bail.
- (g) The Applicant shall not commit any offence during the period of his release.

7. Counsel for the Applicant undertakes on behalf of his client that the Applicant shall not seek any extension of the interim bail. This undertaking shall bind the Applicant.

8. With the above directions, the application stands disposed of.

9. It is clarified that any observations made in the present order are for the purpose of deciding the present application seeking interim bail and



should not influence the outcome of the trial and shall also not be taken as an expression of opinion on the merits of the case.

SANJEEV NARULA, J

DECEMBER 1, 2025
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