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

+ **BAIL APPLN. 4876/2025**

SAJID @ BHURA

.....Petitioner

Through: Mr. Pankaj Kumar, Advocate

versus

THE STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with Ms. Amisha Dahiya,
Advocate

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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16.12.2025

CRL.M.A. 37575/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 369/2018, registered at Police Station Nangloi, Delhi, for the commission of offences punishable under Sections 308/34 of Indian Penal Code, 1860 (hereafter 'IPC').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. Briefly stated, the facts of the present case as per the version of the complainant are that on 29.09.2018, at about 1:15 PM, he was returning to his residence from his shop for lunch and when he had reached in front of



PNB Bank, Main Rohtak Road, Nangloi, he had noticed that his nephew Avinash and his friend Himansh were being brutally assaulted by some known persons. Upon seeing the incident, he had attempted to intervene and had rescued the injured persons. During the said intervention, the complainant as well as his nephew Avinash had sustained injuries on their heads. In the course of the assault, the gold chain worn by the complainant fell off and was lost at the spot. The assailants were identified as Babu and his brother Mota, along with Bhura and Ashraf, all of whom are known to the complainant. Fearing for their safety, the complainant had immediately informed the Police Control Room (PCR).

6. On receipt of DD No. 13A, police officials from Police Station Nangloi had reached the spot. It was found that the injured persons had already been moved to Sanjay Gandhi Memorial Hospital by a PCR vehicle. At Sanjay Gandhi Memorial Hospital, the complainant and his nephew Avinash were medically examined. Consequently, on the basis of the complaint, the present FIR was registered against the applicant herein.

7. The learned counsel appearing on behalf of the applicant argues that there is no *prima facie* evidence against the present applicant, and he was granted bail in the year 2018 itself. It is stated that the applicant has no prior criminal antecedents and he is in judicial custody since 08.10.2025. It is stated that the applicant had fallen from the roof on 22.09.2024 and sustained grievous injuries and he could not appear before the Trial Court. Therefore, it is prayed that the applicant/accused may be admitted to bail.

8. The learned APP for the State, on the other hand, argues that the applicant was released on bail in the year 2018, however, he did not appear before the learned Trial Court on 11.09.2019, 16.09.2021, 09.10.2024 and



06.08.2025, therefore, NBWs were issued against the present applicant. He further argues that there is a likelihood that the applicant/accused may abscond and tamper with material evidence as well as influence witnesses. Thus, his bail application be rejected.

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

10. From the material placed before this Court, this Court observes that the accused herein was granted bail on 11.10.2018, however, he had absented himself during the trial on several occasions and NBWs were issued against him on 11.09.2019, 16.09.2021, 09.10.2024 and 06.08.2025. It is a matter of record that the applicant's application for cancellation of NBWs was dismissed and he was remanded to judicial custody on 08.10.2025, and he has been in custody since then.

11. It has been brought to the notice of this Court that the dispute between the parties has since been amicably settled, which also reduces the possibility of any further discord or confrontation between them. A perusal of the medical record reveals that the injuries sustained by the complainant as well as the other injured persons are *simple* in nature.

12. The investigation in the present case has already been completed and the charge-sheet stands filed, and as such, no further custodial interrogation of the applicant is required.

13. Considering the facts and circumstances, and having regard to the nature of allegations, factum of matter having settled between the parties, and the fact that the applicant was earlier granted bail by the Trial Court itself, this Court is inclined to grant regular bail to the applicant on his furnishing a personal bond in the sum of ₹10,000/- with one surety of the



like amount, subject to the terms and conditions imposed by this Court. 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.
14. Accordingly, the present bail application stands disposed of.
15. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.
16. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

DECEMBER 16, 2025/ns

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