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

+ **BAIL APPLN. 4906/2025 & CRL.M.A. 37840/2025**

RANJEET SINGH @RAHUL

.....Applicant

Through: Mr. Bipin Kumar Jha, Adv.

Versus

STATE (GOVT. OF NCT DELHI)

.....Respondent

Through: Mr. Amit Ahlawat, APP for the State.
Inspector Kuldeep, SI Johny, P.S.
Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

18.12.2025

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1. The Applicant is an under-trial prisoner in case FIR no. 385/2010 under Section 302/34 of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959. He seeks regular bail.

2. The case of the prosecution is as follows:

2.1. On 27th November 2010, pursuant to DD No. 46-A, the police reached near Kendriya Vidyalaya, Kali Basti, Uttam Nagar, where blood stains and an empty cartridge were found. The injured, Sonu, had already been taken to DDU Hospital, where he was declared brought dead with a history of gunshot injury. On the statement of eyewitness Sunny, brother of deceased, the present FIR was registered alleging that while Sunny, Sonu, and their friend Bunty were together, Sonu was intercepted by several accused who arrived on motorcycles. It is alleged that two co-accused, Vijay @ Noti and



Chandra Prakash @ Pappu, fired at him, while the remaining accused, including the Applicant, Ranjit Kumar Singh @ Rahul, restrained the deceased, after which all the accused fled from the spot.

2.2. During investigation, multiple accused were arrested and a chargesheet was filed. The record further shows that the Applicant remained absconding for several years and was declared a Proclaimed Offender on 24th August 2011. He was apprehended only on 11th July 2019, leading to the filing of a supplementary chargesheet against him.

2.3. In the interregnum, the trial against the remaining co-accused proceeded, culminating in a judgment dated 7th June 2017, whereby several co-accused, including Vijay @ Noti, Chandra Prakash @ Pappu, Vinod @ Kake, Mahesh, Anil and Vicky @ Govind, were convicted and sentenced to life imprisonment. The case against the Applicant is pending trial.

3. Mr. Bipin Kumar Jha, counsel for the Applicant, submits that the Applicant has been falsely implicated and that the evidence recorded thus far does not support the prosecution case against him. PW-1 (Bunty) and PW-2 (Sunny), who were cited as material witnesses, have not supported the prosecution version, and that PW-1, in particular, did not identify the Applicant in his cross-examination. The remaining witnesses examined are not eyewitnesses to the incident. The conviction of the co-accused cannot be mechanically extended to him, particularly when no prior enmity between the Applicant and the deceased or his family is alleged.

4. It is further urged that although the Applicant remained absconding during the initial phase of the proceedings, he was arrested in 2019 and was subsequently released on emergency parole during the COVID-19 pandemic, pursuant to which he duly surrendered upon expiry of the parole



period. This conduct, it is submitted, demonstrates that the Applicant is no longer a flight risk. The Applicant is the sole breadwinner of his family, supporting his wife, minor child, and aged parents residing in Bihar. On these grounds, bail is also sought on humanitarian grounds.

5. *Per contra*, Mr. Amit Ahlawat, APP for the State, opposes the bail application, submitting that the Applicant is a flight risk. It is pointed out that although the FIR was registered in 2010, the Applicant was declared a Proclaimed Offender on 24th August 2011 and remained absconding for nearly nine years, until his arrest on 11th July 2019, thereby delaying the trial. This conduct reflects a clear propensity to evade the process of law, which assumes significance given the seriousness of the offence. It is further submitted that surrender after release on emergency parole during the COVID-19 period cannot, by itself, mitigate the risk of absconsion. Moreover, the role attributed to the Applicant is similar to that of the co-accused who stand convicted.

6. This Court has considered the material on record. The delay in the conclusion of the trial is a direct consequence of his own conduct. While the trial against the remaining co-accused proceeded and culminated in their conviction on the basis of evidence led, the Applicant evaded the process of law, was declared a Proclaimed Offender, and the proceedings against him had to be segregated. The case against the Applicant has been revived only after his arrest, necessitating re-examination of witnesses who had already deposed in the earlier trial.

7. Having regard to the prolonged period during which the Applicant remained absconding, this Court is not persuaded that the apprehension of his again evading the process of law stands mitigated. The fact that the



Applicant surrendered upon expiry of emergency parole granted during the COVID-19 period, while relevant, cannot eclipse his prior conduct of remaining untraceable for several years. On the contrary, the risk of abscondence continues to appear real and substantial. This aspect had also weighed with this Court in its earlier order dated 26th March 2025 passed in *BAIL APPLN No. 716/2025*, which was withdrawn after partial hearing. No material change in circumstances has been shown since then.

8. As regards the submission that PW-1 and PW-2 have not supported the prosecution case in the present trial, it is to be noted that in the earlier trial against the co-accused, the same set of prosecution witnesses had been examined, and in those proceedings allegations were levelled attributing a role to the present Applicant and alleging that he acted in concert with the other accused. The testimony of PW-1 and PW-2, has to be read alongside their earlier depositions, at trial and cannot be assessed at the stage of bail.

9. The offence alleged is of a grave and heinous nature, involving a coordinated attack resulting in the death of the victim by gunshot. As per the prosecution, the role attributed to the Applicant is not peripheral but is of active participation, namely, restraining the deceased at the time of the firing. Accused persons attributed with similar roles have already been tried and stand convicted. At this stage, therefore, the material on record discloses a *prima facie* nexus between the Applicant and the incident, which, when viewed in light of the seriousness of the offence and the Applicant's prior conduct, disentitles him from the discretionary relief of bail.

10. Accordingly, having regard to the aforementioned facts and circumstances, the application is dismissed.

11. It is clarified that the observations made herein are limited to



adjudicating the present bail application and shall not be treated as an expression on the merits of the case.

SANJEEV NARULA, J

DECEMBER 18, 2025/ng