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

+ **BAIL APPLN. 98/2026**

**SHIBBU @ SHAMSHER SINGH** .....Petitioner

Through: Mr. Rishipal Singh, Advocate

versus

**THE STATE OF NCT OF DELHI** .....Respondent

Through: Mr. Naresh Kumar Chahar, APP for  
the State

**CORAM:**

**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA**

**ORDER**

% **09.03.2026**

1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 704/2023, registered at Police Station Mangol Puri, Delhi for the commission of offences punishable under Sections 308/325/304(II)/34 of the Indian Penal Code, 1860 (hereafter 'IPC').

2. Briefly stated, the case of the prosecution is that on 02.07.2023, the complainant Kapil had come to meet his parents and when he was leaving the place, one Sher Singh had allegedly started quarreling with him over the parking of a motorcycle. On learning about the quarrel, Kapil's father Naresh and mother Shakuntala had also reached the spot. It is alleged that in the meantime, the father of the applicant, Diler Singh, and his two brothers, Arman and Shibu (present applicant), had also reached there armed with *lathi* and *danda*, and all four persons had started beating Kapil and his



parents. As a result of the incident, Kapil, his mother Shakuntala and his father Naresh sustained injuries and were referred to a higher medical centre for treatment. The statement of injured Kapil was recorded at the hospital and during the course of investigation, injured Naresh Kumar succumbed to his injuries on 17.07.2023, whereafter Section 302 of IPC was added in the present case.

3. The learned counsel appearing for the applicant submits that the applicant has been in judicial custody since 14.07.2023, i.e. for about two and a half years. It is submitted that the co-accused Diler Singh has already been granted bail by the learned Trial Court *vide* order dated 29.07.2025. It is further argued that during the course of trial, the material witnesses have been cross-examined and they have not supported the prosecution case.

4. On the other hand, the learned APP for the State opposes the present application and submits that the allegations against the applicant are serious in nature. It is argued that the applicant was present at the spot and was involved in beating the complainant and his family members. It is contended that the applicant had also provoked the co-accused persons to settle old scores with the complainant's family. It is, therefore, prayed that the present bail application be dismissed.

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

6. Having regard to the aforesaid facts and circumstances of the case, this Court notes that the material witnesses who have been examined before the learned Trial Court have, during the course of their cross-examination, have not supported the prosecution case.



7. This Court also takes note of the fact that the applicant has been in judicial custody since 14.07.2023 and has thus remained in custody for about 2½ years. Considering the period of custody already undergone by the applicant and the present stage of the trial, this Court is of the opinion that the applicant has made out a case for grant of regular bail.

8. Accordingly, the applicant is admitted to regular bail on his furnishing a personal bond in the sum of ₹10,000/- with one surety of the like amount, to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned, subject to 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 as well as concerned I.O./SHO.
- iii) The applicant shall appear regularly before the learned Trial Court, unless exempted.

9. Accordingly, the present bail application stands disposed of.

10. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

11. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**MARCH 09, 2026/ns/TD**