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

+ **BAIL APPLN. 445/2026**

MAYANK KASHYAP @ PUNEET

.....Petitioner

Through: Mr. Jitendra Sethi, Senior Advocate
with Mr. Hemant Gulati, Mr. Shobit
Dimri and Mr. Divyam Gour,
Advocates.

versus

STATE, NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Manoj Pant, APP for State with
Ravinder Kumar Tyagi, SHO, PS: RK
Puram.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

06.04.2026

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 195/2023, registered at Police Station R.K. Puram, Delhi for the commission of offence punishable under Sections 302/307/120B/34/147/148/149 of the Indian Penal Code, 1860 (hereafter '*IPC*') and Sections 25/27 of the Arms Act, 1959.
2. Briefly stated, the case of the prosecution is that on the intervening night of 17–18.06.2023, a quarrel had taken place between the complainant Lalit, and one Dev regarding payment of ₹10,000/-. It is alleged that at about 3:30–4:00 a.m., the accused persons, including the present accused/applicant and others, had gathered outside the complainant's house at Ambedkar



Basti, R.K. Puram, armed with weapons, started pelting stones and creating a ruckus. It is further alleged that during the scuffle, co-accused Arjun @ Anna and Gautam had allegedly fired shots with pistols. The bullets struck Jyoti, wife of Sanjay, and Pinki, wife of Praveen, who sustained grievous firearm injuries and later succumbed to the injuries. During the investigation, 11 accused persons were arrested in the present case. Charges were framed in the case on 02.04.2025 against all accused persons.

3. The learned senior counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case. It is submitted that only 20 out of 59 prosecution witnesses have been examined so far. It is further contended that all the material witnesses have turned hostile before the learned Trial Court. It is also stated that the co-accused persons who allegedly had more grievous roles, including Amit @ Sonu and Gautam, have already been granted bail, and that the trial is likely to take considerable time to conclude. It is, therefore, prayed that the applicant be released on regular bail.

4. On the other hand, the learned APP for the State opposes the present bail application and submits that the allegations against the applicant are serious in nature. However, he fairly concedes that the material witnesses in the present case have turned hostile and that the co-accused persons having more grievous roles have already been granted bail by the learned Trial Court.

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

6. After hearing the arguments advanced by the learned counsel for the parties and upon perusal of the record, this Court notes that the jail conduct



of the applicant during the last one year has been reported to be satisfactory. This Court further observes that out of 59 witnesses cited by the prosecution, only 20 witnesses have been examined so far. It is also fairly conceded by the learned APP for the State that the material prosecution witnesses have turned hostile before the learned Trial Court. It is further not disputed that the co-accused persons who were attributed more grievous roles, including firing upon the deceased, have already been granted regular bail by the learned Trial Court. This Court also notes that the applicant has been in judicial custody for more than 2 years and 9 months.

7. Considering the overall facts and circumstances of the case, the period of custody undergone by the applicant, and the fact that trial will take considerable time to conclude, this Court is inclined to grant regular bail to the applicant herein, on his furnishing personal bond in the sum of Rs.15,000/- 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 concerned Court and if he has a passport, he shall surrender the same to the concerned trial court.
- ii) The applicant shall share his contact details (mobile numbers and residential address) with the IO/SHO and the Trial Court; and in case of any change in the said details, the applicant shall promptly inform the same to the concerned Court and the concerned IO/SHO.
- iii) The applicant shall appear before the Trial Court on every date of hearing unless exempted;



- iv) The applicant shall not indulge in any criminal activity;
 - v) 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.
8. Accordingly, the present bail application stands disposed of.
9. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.
10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 06, 2026/vc
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