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

+ **BAIL APPLN. 533/2026**

SUNIL SINGH CHAUHAN

.....Applicant

Through: Mr. Gajraj Singh, Ms. Sakshi
Sachdeva, Adv.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastava, APP
SI Sahil, PS Budh Vihar

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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29.04.2026

1. By way of this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with FIR No. 390/2025, dated 10.08.2025, registered at Police Station Budh Vihar, District Rohini, Delhi, under Sections 109(2)/118(1)/115(2)/126(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, ["BNS"] and Sections 25/27 of the Arms Act, 1959.
2. I have heard Ms. Sakshi Sachdeva, learned counsel for the applicant, and Mr. Tarang Srivastava, learned Additional Public Prosecutor for the State. The status report has also been placed on record.
3. By order dated 06.02.2026, the Investigating Officer ["IO"] was directed to inform the complainant and the victims about the pendency of the present application. The IO, who is present in Court, states that they were duly informed. The order of this Court dated 13.04.2026 also reflects the presence of counsel on behalf of the complainant. However,



the complainant is unrepresented today.

4. The prosecution case concerns a quarrel that took place on 09.08.2025 at a location in Sharma Colony, Budh Vihar Phase-II, Rohini, Delhi. The allegation of the complainant is that she was assaulted by her husband (co-accused Adish @ Vishal), and that her father and brother were also attacked by Adish @ Vishal with a sword. The present applicant is the brother-in-law of Adish @ Vishal and is accused of participating in the assault by “*catching hold*” of the complainant’s brother.

5. The prosecution has recovered a blood-stained sword from the site of occurrence. It is stated that the sword and other exhibits have been sent for forensic examination, and the FSL report is still awaited. The Medico-Legal Cases [“MLCs”] of the complainant, conducted at Dr. Baba Saheb Ambedkar Hospital, along with those of the three injured persons, have been collected.

6. The complainant’s husband, Adish @ Vishal, and two co-accused, namely the present applicant and Jaiveer Singh, were arrested on 10.08.2025.

7. The principal submission of Ms. Sachdeva rests on the ground of parity with co-accused Jaiveer. She draws my attention to the order of the learned Sessions Court dated 19.01.2026, by which Jaiveer was granted bail, having regard to the role ascribed to him and his age. Ms. Sachdeva submits that, insofar as the role of Jaiveer is concerned, he is accused of having “*caught hold*” of the complainant’s father, and the role ascribed to the present applicant is similar qua the complainant’s brother. Although an earlier bail application (BAIL APPLN. 3486/2025) of the present



applicant was dismissed by order of this Court dated 20.11.2025, Ms. Sachdeva submits that this Court had, *inter alia*, found merit in the apprehension of witness tampering, as at that stage charges had not been framed, and the statement of the complainant was yet to be recorded. She submits that, since then, charges have been framed *vide* order dated 08.01.2026, and the statement of the complainant has already been recorded. She further submits that the applicant has remained in custody for over eight months and has no prior criminal involvement.

8. Mr. Srivastava opposes the application principally on the ground of the seriousness of the alleged offences, but accepts that the role attributed to the applicant is similar to that attributed to co-accused Jaiveer.

9. Having heard learned counsel for the parties, I am of the view that, in the facts of the present case, it is appropriate to release the applicant on bail. Although the charges under Sections 109(1), 115(2), 126(2), and 3(5) of the BNS are no doubt serious, and the MLCs of the victims indicate significant injuries, the role attributed to the applicant - namely, catching hold of the complainant's brother - is similar to the role ascribed to Jaiveer, i.e., catching hold of the complainant's father. The ground of parity urged by Ms. Sachdeva is, therefore, *prima facie* merited.

10. It may be noted that the learned Sessions Court dismissed the applicant's application by order dated 30.01.2026, observing that this Court had declined his bail application on 20.11.2025. The Sessions Court further noted that the statement of the complainant had not yet been recorded and rejected the applicant's claim of parity with Jaiveer on the ground of Jaiveer's age. However, the order dated 19.01.2026 granting bail to Jaiveer, does not appear to have been passed solely on the ground



of his age, but also takes into account his role and records that he was not the person who caused injuries to the victims.

11. As far as the order of this Court dated 20.11.2025 is concerned, one of the principal considerations, namely the apprehension of witness tampering, now stands diminished, as the complainant's evidence has already been recorded. As regards the seriousness of the offence and the role attributed to the applicant, as discussed above, the applicant is, in these respects, covered by the claim of parity with Jaiveer.

12. For the aforesaid reasons, it is directed that the applicant be released on regular bail in connection with FIR No. 390/2025, dated 10.08.2025, registered at Police Station Budh Vihar, District Rohini, Delhi, subject to furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount, to the satisfaction of the Trial Court/Duty Magistrate, and subject to the following conditions:

- a. The applicant shall appear before the Sessions Court on each and every date of hearing;
- b. The applicant shall furnish his permanent address to the concerned IO/Station House Officer ["SHO"], as well as the address at which he is residing during the pendency of the case, and shall, in the event of any change in his residential address, promptly intimate the IO/SHO and file an affidavit before the Sessions Court;
- c. The applicant shall provide his mobile number to the concerned IO/SHO, which shall be kept in working condition at all times. The mobile number shall not be switched off or changed without prior intimation to the IO during the pendency of the trial;



- d. The applicant shall not, directly or indirectly, contact, visit, or offer any inducement, threat, or promise to any prosecution witnesses or other persons acquainted with the facts of the case;
 - e. The applicant shall not, directly or indirectly, tamper with evidence or engage in any act or omission that could prejudice the proceedings of the pending trial;
 - f. The applicant shall not leave the country without prior permission of the Sessions Court;
 - g. The applicant shall not commit any offence during the period of his release.
13. The bail application is disposed of in terms of the above.
14. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.
15. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

PRATEEK JALAN, J

APRIL 29, 2026

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