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

+ **BAIL APPLN. 746/2026**

DEEPAK

.....Petitioner

Through: Mr. Omkar Sharma, Advocate

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Mr. Divyang Kishwan, Advocate
and with SI Sumit, P.S. South Rohini.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

24.04.2026

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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. 497/2022, registered at Police Station South Rohini, Delhi for the commission of offences punishable under Section 304 of the Indian Penal Code, 1860 (hereafter 'IPC').
2. Briefly stated, the facts of the case are that the complainant, Ved Prakash, in his statement to the police, alleged that on 12.12.2022, at about 10:00–10:30 PM, he had received a telephone call from his 10-year-old granddaughter Nancy, informing him that a quarrel had taken place between Suresh and his wife Jyoti. She further informed him that Suresh's brother-in-law (*saala*), Deepak, along with 2–3 associates, was present at the spot and had assaulted Suresh during the altercation. She also informed him that the police had been called and Suresh had been taken to the hospital. Upon



receiving the said information, the complainant, along with his wife, reached BSA Hospital, where they found Suresh undergoing treatment. The complainant alleged that the present accused/applicant, along with his associates, had attacked Suresh and caused grievous injuries on his head. On the basis of the aforesaid statement, the present FIR was registered.

3. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case. It is submitted that the applicant has been in judicial custody since 13.12.2022. It is, therefore, prayed that the applicant be released on regular bail.

4. The learned APP for the State, on the other hand, argues that the allegations levelled against the present applicant are serious in nature. It is submitted that PW-1 and PW-2 have supported the case of the prosecution. It is, therefore, prayed that the present application seeking regular bail be dismissed.

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 and going through the case file, this Court notes that the FIR in the present case was initially registered for offence under Section 308 of IPC, but thereafter, the chargesheet was filed for offence under Section 302 of IPC since the victim had passed away. At the stage of arguments on charge, charges were framed under Section 302 of IPC by the learned Trial Court. The said order was challenged before this Court and was remanded back. It is now admitted that charges have been framed under Section 304 of IPC against the accused.

7. Considering the overall facts and circumstances of the case, particularly the fact that the applicant has been in judicial custody for the



last 3½ years and has no criminal antecedents, this Court is inclined to grant regular bail to the applicant on furnishing a personal bond in the sum of ₹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 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.

8. Accordingly, the present bail application stands allowed and is 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 24, 2026/zp

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