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

+ **BAIL APPLN. 927/2026**

AMAN KANUJIA

.....Petitioner

Through: Mr. Ocean Chaudhary and Mr. Raj
Kumar, Advocates

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Manoj Pant, APP for the State
with Inspector Surender and SI Sunit,
P.S. Jagat Puri.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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06.05.2026

1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 554/2024, registered at Police Station Jagat Puri, Delhi, for the commission of offences punishable under Sections 103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereafter '*BNS*').

2. Briefly stated, the facts of the present case are that on 18.10.2024, upon receipt of PCR Call *vide* DD No. 138A regarding a quarrel at Pulia, 40 Foota Road, the police officials had reached the spot; however, no one was found at the spot. The caller, Kuldeep was contacted telephonically, who informed the police officials that he had already taken his brother-in-law, Arpit @ Golu, to Dr. Hedgewar Hospital for treatment. Thereafter, the



police officials had reached Dr. Hedgewar Hospital, but neither any MLC in the name of Arpit @ Golu was found prepared nor was any complainant available at the hospital, and no further contact could be established with the caller. Consequently, the police officials returned to the police station. In the meantime, another PCR call vide GD No. 33A was received, pursuant to which the police officials again proceeded for inquiry. During the course of investigation, injured Arpit @ Golu was found admitted for treatment.

3. During investigation, the statement of complainant Kuldeep was recorded, wherein he stated that deceased Arpit @ Golu was his brother-in-law and that accused Dhruv @ Golu harboured animosity against the deceased on account of his friendship with accused's sister, namely Khushi. It was alleged that on 18.10.2024, at about 10:15 PM, the deceased informed the complainant telephonically that accused Dhruv @ Golu had come to call him outside. Upon reaching the spot, the complainant allegedly saw accused Dhruv @ Golu, along with co-accused Rishu, Nishu and 3-4 other associates, assaulting the deceased with fists and blows. It is alleged that after the complainant intervened and rescued the deceased, the accused persons fled from the spot. Thereafter, the deceased complained of severe stomach pain and was first taken to Dr. Hedgewar Hospital and subsequently to GTB Hospital, where he succumbed to the injuries sustained during the assault. Accordingly, the present FIR No. 554/2024 was registered on 19.10.2024.

4. The learned counsel appearing on behalf of the applicant argues that the applicant has been falsely implicated in the present case and is not named in the FIR. It is further argued that the charge sheet has already been filed and that the applicant had no motive whatsoever to commit the alleged



offence. The learned counsel contends that the initial medical documents of the deceased do not record any history of physical assault, which materially contradict the allegations set out in the FIR. It is also argued that no Test Identification Parade (TIP) has been conducted, *qua* the present applicant. It is further contended that the applicant has no previous criminal antecedents. Additionally, it is argued that the applicant has been in judicial custody since 02.10.2024 and that the trial is likely to take considerable time to conclude. Accordingly, it is prayed that the applicant be enlarged on regular bail.

5. *Per contra*, the learned APP for the State argues that the allegations against the present applicant/accused are serious in nature. It is contended that there are two eye-witnesses who have supported the prosecution case and have specifically stated that the applicant is the main accused and has played an active role in the commission of the alleged offence. It is further argued that the material witnesses are yet to be examined. Accordingly, it is prayed that the present bail application be dismissed.

6. This Court has **heard** arguments addressed by the learned counsel appearing for the applicant as well as the learned APP for the State and has perused the material available on record.

7. At this stage, it is noteworthy that the present applicant is not named in the FIR and his name has surfaced subsequently during investigation through the disclosure statement of the co-accused. Further, no TIP appears to have been conducted in the present case. The evidentiary value of the disclosure statement is a matter to be tested during trial.

8. This Court further notes that the applicant has been in judicial custody since 02.10.2024, i.e., for about one year and six months. The applicant has no previous criminal antecedents and the charge sheet has already been



filed. It is also pertinent to note that the charges are yet to be framed and the material witnesses are yet to be examined, therefore, the trial is likely to take considerable time to conclude.

9. Accordingly, considering the totality of the facts and circumstances, particularly the period of custody undergone by the applicant, the fact that he is not named in the FIR, and the absence of previous criminal antecedents, this Court is inclined to grant regular bail to the applicant herein, on his furnishing personal bond in the sum of Rs. 20,000/- 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.

10. Accordingly, the present bail application stands allowed and is disposed of.

11. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.



12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 06, 2026/zp
GJ