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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1023/2026**
RAJAPetitioner

Through: Mr. Amit Garg, Mr. Maitreya, Mr.
Ravinder Singh Rawat and Mr.
Yogesh Kumar, Advocates
versus

THE STATE NCT OF DELHIRespondent
Through: Mr. Naresh Kumar Chahar, APP for
State
Insp. Rahul Kumar, Traffic Line
Todapur and SI Sumit, PS Subzi
Mandi

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

% **ORDER**
17.04.2026

CRL.M.A. 7805/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

BAIL APPLN. 1023/2026

1. Applicant seeks regular bail in case FIR No. 63/2023 dated 30.01.2023 registered at Police Station Subzi Mandi, Delhi for commission of offence under Section 302/34 IPC.
2. Applicant is in custody since 01.02.2023. There are 26 cited witnesses and prosecution has already examined 19 witnesses whereas two other have been dropped.
3. According to learned counsel for applicant, one material witness i.e. complainant has not supported the case of prosecution while one another

BAIL APPLN. 1023/2026

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material witness was examined in part way back in the year 2023 and, thereafter, he is not appearing before the learned Trial Court despite the fact that learned Trial Court has already given sufficient opportunities in this regard.

4. Learned Addl. P.P. for State admits that there is some issue with respect to the availability of the aforesaid witness and the next date in the aforesaid trial is now 28th instant and every effort would be made by the concerned SHO/IO to trace the aforesaid witness and to produce him before the learned Trial Court.

5. Learned counsel for petitioner submits that if some time-bound directions are given in this regard, he would not press for any relief, at this juncture. He also submits that concerned Superintendent Jail be also directed to ensure that there is no threat to the life of the applicant as he apprehends some danger from jail-staff only.

6. Keeping in mind the overall facts of the case and in view of the aforesaid submission made by learned counsel for applicant, present bail application is disposed of as not pressed, with direction to learned Trial Court to make best efforts to ensure the presence of aforesaid material witness i.e. PW1 Sheikh Raju and to record his testimony, preferably, within a period of three months from today. Since other material witnesses have already been examined, the learned Trial Court would also make best efforts to dispose of the entire case, as expeditiously as possible, preferably within a period of six months from the date it takes up the matter.

7. Needless to say, in case the presence of the aforesaid witness is not secured within the period of three months and the trial is not over within the aforesaid period of six months, in either of the eventualities, applicant would



be at liberty to file application afresh before this Court.

8. A copy of this order be sent to learned Trial Court for information and compliance.

9. A copy of this order be also sent to Superintendent Jail with direction to ensure his safety.

MANOJ JAIN, J

APRIL 17, 2026/dr/sy