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

+ **BAIL APPLN. 1177/2026 & CRL.M.(BAIL) 601/2026**

SHAILESH@MITHLESH@MITHAIYAPetitioner

Through: Mr. Vijay Pandey and Mr. Jai Gaur,
Advocates.

Versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Manoj Pant, APP for State and SI
Rajesh Kumar, PS: Adarsh Nagar,
Delhi.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **24.03.2026**

CRL.M.A. 8894/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.(BAIL) 601/2026

3. The learned counsel appearing on behalf of the applicant seeks permission to withdraw the present application.
4. In view of the above, the present application stands dismissed as withdrawn.

BAIL APPLN. 1177/2026

5. By way of the present application, the applicant is seeking grant of regular bail in a case arising out of FIR bearing no. 254/2019, registered at Police Station Adarsh Nagar, Delhi, for the commission of offences punishable under Sections 307/34 of the Indian Penal Code, 1860 (hereafter 'IPC').



6. Issue notice. The learned APP accepts notice on behalf of the State.
7. Briefly stated, the present case was registered on the basis of the statement of the complainant, Geeta, who alleged that on 02.08.2019 at about 9:00 p.m., while she was returning to her house, and upon reaching near Shiv Mandir, Kaushal Puri, she witnessed the applicant/accused, Shailesh @ Mithlesh @ Mithaiya, along with co-accused Sonu Kalia, assaulting her *devar*, Ravi (injured). It is alleged that both the accused persons threw Ravi to the ground, assaulted him with slaps and punches, lifted him, and repeatedly threw him down, and thereafter fled from the spot. Thereafter, the complainant made a PCR call, pursuant to which the injured was taken to BJRM Hospital. Further, the statement of the complainant was formally recorded at the Police Station on 05.08.2019.
8. During the course of investigation, co-accused Sonu Kalia was arrested on 31.08.2019, whereas the present applicant remained absconding, consequent to which proceedings under Sections 82/83 Cr.P.C. were initiated against him. The applicant was eventually apprehended on 04.10.2025 *vide* kalandra.
9. The learned counsel for the applicant argues that the applicant has been falsely implicated in the present case. It is contended that the applicant is a 26-year-old with no prior criminal antecedents and has been in judicial custody since 04.10.2025. It is further argued that the applicant was served at an incorrect address and therefore, was not able to join the investigation. It is further argued that the co-accused has already been acquitted of the charges by the learned Trial Court. It is further pointed out that charges against the applicant are yet to be framed, and therefore, the trial is likely to take considerable time to conclude. In view of the above submission, it is



prayed that the applicant be released on regular bail.

10. The learned APP for the State has opposed the present bail application, and argues that the allegations against the applicant are serious in nature. It is argued that the applicant had caused injuries to injured Ravi. It is also argued that the accused/applicant was declared a proclaimed offender and was arrested after six years of being declared proclaimed offender. It is thus prayed that the present bail application be dismissed.

11. This Court has **heard** arguments addressed on behalf of the learned counsel for the applicant as well as the learned APP for the State, and has perused the material on record.

12. The allegations against the present accused/applicant are that he had assaulted the complainant's *devar* and had beaten him with slaps and punches, and thereafter fled the spot.

13. This Court notes that the co-accused, Sonu @ Kalia, has been acquitted of the charges after the complainant and the injured were examined before the learned Trial Court, as the present accused was proclaimed offender, the complainant, had turned hostile, had denied that the incident had occurred in her presence or that she had seen the applicant and co-accused Sonu @ Kalia assaulting the injured, Ravi.

14. Further, it is noted that the applicant has been in judicial custody since 04.10.2025. The case is presently at the stage of framing of charge, and the trial is likely to take considerable time to conclude.

15. Considering the overall facts and circumstances of the present case, including the period of custody already undergone by the applicant, and the fact that the trial is likely to take considerable time to conclude, this Court is inclined to grant regular bail to the applicant on his furnishing personal bond



in the sum of Rs.10,000/- with two sureties of the like amount to the satisfaction of the 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 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.
16. The bail application is accordingly disposed of.
17. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.
18. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 24, 2026/vc