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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1200/2026**
PRADEEP KUMARPetitioner

Through: Mr. Ujwal Jha, Mr. Amit Sharma, Mr.
Rohan Gupta, Advocates.

versus

STATE GOVT OF NCT OF DELHI & ANR.Respondent

Through: Mr. Sunil Kumar Gautam, APP with
ASI Pradeep, SI Naresh Kumar.
Mr. Vaibhav Bharti, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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28.04.2026

1. Applicant seeks regular bail in case arising out of FIR No. 192/2025 dated 29.06.2025, registered at Police Station Mohan Garden, for commission of offences under Sections 118(2)/3(5) of *Bharatiya Nyaya Sanhita (BNS)*, 2023 (corresponding Sections 326/34 IPC) and Sections 25/27 of Arms Act, 1959.
2. There are three accused persons in all i.e. Bhole Ram, Yogesh Mathur and Pradeep Kumar. As far as accused Yogesh is concerned, he has already been enlarged on bail by the learned Trial Court.
3. The alleged incident is of 28.06.2025. As per the prosecution story, Complainant-Harish, who was into property work, was at his house when Yogesh Mathur @ Yogi told him that Bhole Ram was calling him. Complainant came out of his house and saw Bhole Ram and Pradeep Malik (applicant herein) sitting in a Scorpio Car. Bhole Ram was on the driving seat. There was some altercation and conversation between them and complainant

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asked Bhole Ram to return his Rs.10,00,000/- . Immediately, thereafter, Bhole Ram took out pistol and fired at him.

4. Fortunately, the injury did not prove to be fatal.

5. All the three accused persons were arrested.

6. Charge-sheet has already been filed, *albeit*, charges are yet to be framed.

7. Learned counsel for the applicant submits that the applicant is in custody for now last more than 9 months and since the investigation is already over and since almost a similarly situated co-accused is on bail, no purpose would be served by permitting the applicant to remain in further incarceration.

8. He submits that there were various other cases against the applicant but now there is only one pending case which relates to cheating and forgery and in all the other matters, he has either been acquitted or discharged. Learned counsel for the applicant submits that there is no previously recorded conviction of the applicant in any other case.

9. The other argument coming from the side of defence is to the effect that even if, the case of the prosecution is believed *in toto*, the applicant was merely sitting with his co-accused Bhole Ram and during some conversation and confrontation, Bhole Ram had, all of sudden, took out the pistol and shot at complainant. Thus, even the complainant was taken surprise by such sudden overt act on the part of his co-accused.

10. As per charge-sheet, 36 witnesses have been cited by the prosecution and the trial has yet not begun as the charges have not been ascertained so far.

11. Admittedly, the applicant herein is not the one who was carrying any weapon. The pistol was with accused Bhole Ram and Bhole Ram had fired at



the complainant.

12. The application has been opposed by learned APP as well as learned counsel for the complainant, who is accompanied by complainant. They apprehend that if the applicant is released on bail, he would threaten them to withdraw the matter. It is submitted that on various previous occasions, complaints have been given to the police station. The copies thereof were shown which indicates that alleged threat emanates, in particular, from accused Bhole Ram.

13. Be that as it may, keeping in mind the overall facts of the case, role attributed to the applicant and the fact that the trial would take some time as the charges have yet not been ascertained, *albeit*, without expressing any opinion over the merits of the case, the applicant is, hereby, directed to be released on bail on his furnishing personal bond in a sum of Rs. 25,000/- with one 'local' surety of like amount, subject to the satisfaction of learned Trial Court/CJM/Duty Magistrate with following conditions:-

- (i) The applicant would provide his Mobile Number and would ensure that such Mobile Number remains active and operational, till the disposal of the case by the learned Trial Court.
- (ii) The applicant would not try to come in contact of complainant or his family members, directly or indirectly.
- (iii) The applicant would not change his address and in case there is any change in the address, the same shall be duly intimated not only to the Investigating Officer but also to the learned Trial Court.

14. The application stands disposed of in aforesaid terms.

15. In case any instance of violation of the aforesaid condition is brought



to the knowledge of this Court, same may invite cancellation of the bail.

16. A copy of this Order be immediately sent to the learned Trial Court and Jail Superintendent for information and necessary compliance.

17. A copy of this order be given *dasti* under the signatures of the Court Master.

MANOJ JAIN, J

APRIL 28, 2026/sw/js