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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1649/2026**
NARESHPetitioner

Through: Mr. Nipun Katyal with Mr. Aishwary
Mishra, Mr. Dhananjay Kumar and
Mr. Manan Sharma, Advocates.
versus

STATE NCT OF DELHI & ANR.Respondents
Through: Mr. Sunil Kumar Gautam, APP for the
State with SI Rahul Rathi, PS Sangam
Vihar.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **18.05.2026**

1. Applicant seeks regular bail in case arising out of FIR No.402/2019 dated 12.12.2019 registered at P.S. Sangam Vihar for commission of offences under Section 302/34 IPC.
2. The applicant and his son are the accused in the abovesaid FIR.
3. As per the allegations appearing in FIR, some firing incident was reported on 11.12.2019. Police, on receiving the abovesaid information, reached hospital where they learnt that one Sh. Rahul had been declared *brought dead* with multiple gunshot injuries. The father of the deceased revealed about the involvement of the petitioner as well as his son in the abovesaid murder. According to him, there was altercation between the two sides for the reason that the headlight of the motorcycle of his son had been broken, who wanted the applicant to allow him to see the footage of CCTV cameras so that he could reach the concerned offender. The applicant did not

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accede to such request. This, eventually, resulted into further animosity and, on 11.12.2019, on the exhortation of applicant, his co-accused/son Pradeep pulled out a pistol and killed him.

4. There are 27 witnesses of prosecution and all the material eye-witnesses have already been examined.

5. Admittedly, earlier when the application had been filed by the applicant seeking bail, he was permitted to withdraw the same with liberty to file the application afresh, after all the material witnesses were examined. Reference be made to order dated 07.07.2025 passed by this Court in Bail Appl.686/2025.

6. It is in the abovesaid backdrop and liberty given by this Court, that the present application has been filed.

7. The applicant is, reportedly, in his 50's and as per the Nominal Roll, his period of incarceration, as on 08.05.2026, is 4 years 7 months and 1 day. His overall jail conduct is found to be satisfactory, with no other involvement of any nature whatsoever. It is submitted that earlier also he had been enlarged on interim bail as per the directions given by High Powered Committee (HPC) and he never misused the abovesaid liberty and surrendered after the expiry of period of interim bail.

8. Learned Addl. P.P. for the State opposes the bail application. He, however, admits the broad facts and also does admit that the applicant is not the main author of the crime although the common intention on his part can be easily deciphered.

9. Be that as it may, keeping in mind the overall facts of the case and, in particular, the long incarceration period of the applicant and the fact that he is not the main perpetrator, the applicant is, hereby, directed to be released on



bail on his furnishing personal bond in a sum of Rs. 50,000/- 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 shall not try to contact and influence any witness, directly or indirectly.

10. The application stands disposed of in aforesaid terms.

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

MANOJ JAIN, J

MAY 18, 2026
st/sk