$~88

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

\# **CNR No. DLHC010461032026**

\+ BAIL APPLN. 4076/2026

SALMAN .....Petitioner

Through: Mr. Sunil Kumar, Ms. Minakshi Sharma, Advocates

versus

STATE NCT OF DELHI & ANR. .....Respondents

Through: Mr. Naresh Kumar Chahar, APP with SI Pankaj Kumar, P.S. Jyoti Nagar

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 28.10.2026

1. The present petition has been filed seeking the following relief: -

> "Grant **regular Bail** to the Applicant/Petitioner U/S 439 Cr.P.C./BNSS in case FIR bearing no. 0635/2022 UIS 498A/304B/34 I.P.C. registered in P.S. Jyoti Nagar"
>
> [Emphasis supplied]

2. Learned counsel for the Petitioner states that the Petitioner has been arrested on 13.08.2022 and while the trial has begun, 11 witnesses have been examined, and 21 witnesses remain.

2.1 He states that although the FIR was registered under Section 498A, 304B and 34 of the Indian Penal Code, 1860 ['IPC'], the learned Trial Court, while framing charges, has framed the charge under Sections 498A, 34 read with Section 306 of the IPC.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 31/10/2026 at 11:25:10

3. Learned APP submits that the order framing charge under Section 306 IPC in place of Section 304B IPC has been challenged by the State and is listed today CRL. REV. P. No. 1213/2024.

3.1. In addition, he states that 4 material public witnesses enlisted at witness nos. 4, 5, 6 and 7 in the charge-sheet remain to be examined. He submits that two of these witnesses are the neighbours and one witness is a family member of the accused. He states that the next date before the learned Trial Court is 07.01.2027 and the trial may be expedited.

3.2. He states that it would be appropriate that the bail application is considered after the statement of these witnesses has been recorded.

4. Learned counsel for the Petitioner is agreeable to the direction for expedited recording of evidence.

5. It is accordingly directed that the learned Trial Court shall, on the next date of hearing, i.e., 07.01.2027, commence recording of the witnesses enlisted at witness nos. 4, 5, 6 and 7 of the chargesheet and endeavour to complete the recording of their evidence on a day-to-day basis.

6. After the evidence of witness nos. 4, 5, 6 and 7 is complete, the Petitioner herein shall be at liberty to file a fresh application seeking regular bail before the learned Trial Court. The learned Trial Court shall consider the said bail application, when filed, on its own merits. The bail application shall be decided by the learned Trial Court uninfluenced by the pendency of CRL. REV. P. No. 1213/2024, if it is pending on the said date before the High Court.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 31/10/2026 at 11:25:10

7. The Petitioner and the Investigating Officer [‘IO’] are directed to bring this order on the record of the learned Trial Court within a period of one [1] week for information and compliance. The IO shall take appropriate steps for summoning witness nos. 4, 5, 6 and 7 for hearing scheduled on 07.01.2027.

8. With the aforesaid directions, this petition stands disposed of.

9. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 28, 2026/mt/aa

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 31/10/2026 at 11:25:10