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

\# **CNR No. DLHC010470282026**

\+ BAIL APPLN. 4147/2026

ZUBER KHAN .....Petitioner

Through: Mr. Jaiveer Irshad, Advocate.

versus

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

Through: Mr. Mukesh Kumar, APP for State with SI Sunil, P.S.: Malviya Nagar.
Mr. Javed Khan and Ms. Anshula Gupta, Advocates for complainant.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 17.11.2026

1. The present application has been filed seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') in connection with FIR No. 246/2026 dated 10th July, 2026 registered at Police Station Malviya Nagar for offences punishable under Sections 95/110/117(2)/190/191(2)/191(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS').

2. The applicant has been in custody since 10th July, 2026.

3. The present FIR came to be registered on the statement of the complainant in respect of an incident dated 9th July, 2026. The complainant is the brother of the applicant's estranged wife. As per the FIR, the complainant was dropping off his cousin at Malviya Nagar Metro Station when the applicant, Zuber, started abusing him and his sister. Thereafter, several associates and relatives of the complainant as well as the accused

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persons, including the present applicant, reached the spot, resulting in a confrontation between the two sides. It is alleged that the applicant and his brother struck the complainant's brother on the head with an iron rod, causing serious injuries. The complainant was also allegedly assaulted by the accused persons with deadly weapons, including a sharp-edged weapon, resulting in a deep injury to his head.

4. Counsel for the applicant submits that the dispute between the complainant and the applicant arose on account of a matrimonial dispute. He submits that the complainant was already holding an iron rod and that the applicant was first attacked by the complainant and his brother. He further submits that the injuries sustained by the applicant have not been considered by the prosecution.

5. It is further submitted that the investigation is complete and the chargesheet has been filed. It is also submitted that three (3) of the co-accused(s) have already been granted anticipatory bail.

6. Status report has been handed over in Court. The same is taken on record.

7. As per the status report, during investigation, CCTV footage of the place of occurrence was examined, which displayed the active participation of the applicant in the commission of the offence. During investigation, offences under Section 117(2)/ 95/191(2)/191(3) of the BNS were added.

8. Mr. Mukesh Kumar, APP appearing for the State as well as counsel appearing on behalf of the complainant vehemently oppose the present bail application.

9. Mr. Kumar submits that the nature of the offence is serious in nature. Two of the co-accused persons are absconding and the weapon of offence

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remains to be recovered. There is a possibility of the applicant jumping bail, if released on bail.

10. I have heard counsel for the parties and examined the material on record.

11. From the reading of the status report, it is manifest that that serious injuries have been inflicted by the applicant upon the complainant. I have also seen the CCTV footage of the incident, which shows the active involvement of the applicant. In the CCTV footage, the applicant is seen assaulting the complainant as well his brother with deadly weapons.

12. The medico-legal documents handed over in Court further substantiate the nature and extent of grievous injuries sustained by the complainant and his brother. The MLC of the complainant, Shahrukh, records trauma over the head, left hand palm, chest and right knee. The MLC also records a history of loss of consciousness. The MLC of the complainant's brother, Suhail, records trauma over the head and back. Multiple bruises over his back have also been noted.

13. This Court also takes note of the previous involvement of the applicant in two (2) more cases of similar nature. The particulars of the said cases, as shown in Previous Conviction Report filed along with the status report, are set out below:

(i) FIR No. 565/2024, registered at P.S. Malviya Nagar, Delhi under Sections 115(2), 85, 351(3) and 3(5) of the BNS and Section 4 of Dowry Prohibition Act, 1961.

(ii) FIR No. 583/2025, registered at P.S. Malviya Nagar, Delhi under Sections 333 and 351(2) of the BNS and Sections 25, 27, 54 and 59 of the Arms Act, 1959.

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14. In FIR No. 565/2026 filed by the wife of the applicant, it is alleged that the applicant, along with other co-accused, beat his wife with a rod and pushed her from the 2nd floor of their house, as a result of which she suffered serious injuries.

15. In FIR No. 583/2025 also filed by the wife of the applicant, it is alleged that the applicant forcibly trespassed into her parental house, armed with a firearm, attempted to kill her, and threatened her and her family members.

16. Charges are yet to be framed in the present case and the applicant has been in custody only since 10th July, 2026.

17. Considering the totality of facts and circumstances and particularly taking into account the weapon used and the nature of injuries suffered, and the previous involvement of the applicant in the other offences of similar nature, this Court is not inclined to enlarge the applicant on bail, at this stage.

18. Accordingly, the application is dismissed.

19. The observations made herein are solely for the purpose of adjudication of the present application, and shall not be construed as an expression of opinion on the merits of the case, nor shall they prejudice the rights and contentions of the parties at any stage of the proceedings.

20. The pending applications stand disposed of.

AMIT BANSAL, J

NOVEMBER 17, 2026
at

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