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

+ **BAIL APPLN. 3342/2025**

RAM PRASAD @ RAM

.....Petitioner

Through: **Mr. Akhilesh Pradhan, Advocate.**

versus

THE STATE GOVT OF NCT OF DELHI

.....Respondent

Through: **Mr. Hitesh Vali, APP for the State.
Insp. Mintu Singh, PS S P Badli**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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17.03.2026

1. The applicant seeks regular bail in connection with FIR No. 914/2018, dated 03.12.2018, registered at Police Station Samaipur Badli. The FIR was initially registered for an offence punishable under Section 302 of the Indian Penal Code, 1860 ["IPC"]. On 08.03.2019, the applicant was chargesheeted for additional offences under Sections 376 and 34 of the IPC. Subsequently, charges were framed against the applicant on 08.05.2019 under Sections 302, 376D, and 34 of the IPC.
2. The FIR alleges that the complainant's wife was gang raped and murdered. It is stated that the deceased had left for her workplace on 02.12.2018 at approximately 9:15 AM, but did not return home. The complainant allegedly found her body on 03.12.2018 at around 6:30 AM, lying in the bushes, near a railway track.
3. Mr. Hitesh Vali, learned Additional Public Prosecutor, has



submitted a copy of the status report dated 17.03.2026. The same is taken on record.

4. The Status Report refers, *inter alia*, to the Post Mortem report, which states that the cause of death was *asphyxia* resulting from strangulation, and that all injuries sustained by the deceased were *ante-mortem* and fresh at the time of death.

5. Upon receipt of information on 09.12.2018, four co-accused were apprehended. They disclosed that they had raped and murdered the deceased and subsequently stolen her purse, which was recovered at their instance. The applicant was later arrested on 11.02.2019 based on the disclosure statement of one of the co-accused.

6. Mr. Akhilesh Pradhan, learned counsel for the applicant, submits that the applicant has been in custody for a considerable period and that there is no direct evidence, such as CCTV footage or call detail records, connecting him to the alleged offence.

7. Mr. Vali submits that forensic evidence, in the form of Forensic Science Laboratory [“FSL”] report, establishes the applicant’s involvement in the offence. The FSL report, as summarised in the status report, reads as follows:

*“5. The opinion has been obtained from FSL which is as under
“1) Alleles from the DNA profile of exhibit ‘1A’ & ‘2A’ were accounted in DNA profile of exhibits ‘7b’. 2) Alleles from the DNA profile of exhibit ‘1A’, ‘2A’, ‘9a’, ‘9b’, ‘10b’, ‘11b’ & ‘12b’ were not accounted in DNA profile of exhibit ‘5b’. DNA profile (STR analysis) performed on the exhibits is sufficient to conclude that DNA profile generated from the source of exhibits ‘1A’ & ‘2A’ is matching with the DNA profile generated from the source of exhibits ‘7b’.”*

8. Mr. Vali hands over a copy of the FSL report dated 12.04.2019,



which is taken on record. The report further indicates that Exhibit 2a comprises the applicant's blood specimen collected on a gauze piece, while Exhibit 7b is the vulval swab of the deceased. The conclusion of the FSL report is as follows:

“DNA profiling (STR analysis) performed on the exhibits is sufficient to conclude that DNA profile generated from the source of exhibits ‘1A’ & ‘2A’ is matching with the DNA profile generated from the source of exhibits ‘7b’.”

9. At the outset, it is well recognized that adjudication of a bail petition is not intended to be a mini-trial, as observed by the Supreme Court in *Union of India v. K.A. Najeeb*¹, and more recently in *State of U.P. v. Anurudh*². In considering the grant of bail, it is necessary to balance the applicant's right to personal liberty against the requirements of fair and effective criminal proceedings. The offences of gang rape and murder, as alleged in the present case, are of a heinous character, reflecting the extreme gravity and severity of the acts involved. The material on record, particularly the FSL report indicating a DNA match between the applicant's blood sample and the biological specimens recovered from the deceased, *prima facie* implicates the applicant, when read with the confessions of the co-accused and the recovery of the deceased's belongings.

10. It is well established that prolonged incarceration may not, in all circumstances, entitle an accused to bail. As held by the Supreme Court in *Dipak Shubhashchandra Mehta v. CBI*³, delay in trial alone cannot serve as a ground for bail. This position has also been followed by a co-

¹ (2021) 3 SCC 713.

² 2026 SCC OnLine SC 40.



ordinate Bench this Court in *Dineet v. State (NCT of Delhi)*⁴. Furthermore, the period of detention must be assessed in proportion to the maximum sentence prescribed for the offences, which in this case is life imprisonment, and cannot, on its own, outweigh the seriousness of the allegations.

11. As the grant of bail is discretionary, the Court must exercise caution where the allegations involve heinous acts and the material on record establishes a *prima facie* link to the applicant. Considering the severity of the offences, and the *prima facie* forensic and corroborative evidence, I am of the view that it is not appropriate to exercise discretion in favour of the applicant at this stage.

12. In light of the foregoing, the application is, accordingly, dismissed.

13. It is clarified that any observations made in the present order are solely for the purpose of deciding the bail application, and shall not influence the trial proceedings, nor shall they be construed as an expression of opinion on the merits of the case.

PRATEEK JALAN, J

MARCH 17, 2026

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³ (2012) 4 SCC 134, paragraphs 31 and 32.

⁴ 2025 SCC OnLine Del 8603.