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

+ **BAIL APPLN. 3402/2025**

**RAJAT CHAUHAN@ SHIVAM CHAUHAN** .....Petitioner

Through: Mr. Lewish Edward, Mr.P. Vignesh,  
Mr. Ayush Khanna & Mr. Sameer  
Pavis, Advs.

versus

**STATE OF NCT OF DELHI**

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP, Mr.  
Kishore Kumar, SI, P.S. Vasant Kunj  
North.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER**

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**17.03.2026**

1. The petitioner seeks regular bail in case FIR No. 0127/2022 on 27.02.2022 at P.S. Vasant Kunj North registered under section 302 IPC.
2. As per the prosecution's story, the dead body of one girl was recovered from a hotel room situated in Mahipalpur on 27.02.2022. The *post mortem* report revealed multiple external injuries which were on account of *cranio-cerebral* damage consequent to blunt force impact to the head.
3. The investigation divulged that the applicant and deceased were in a relationship and they both had checked-in the aforesaid hotel and had taken alcohol. As per CCTV footage, the applicant was found leaving the hotel premises and, thereafter, the dead body was found.
4. It is submitted that the applicant, who was around 22 years of age at the time of the alleged offence, has no previous history of any nature whatsoever and his conduct in jail has remained satisfactory throughout and, even when he was released on interim bail, he never misused the abovesaid liberty. It is

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contended that the case rests on circumstantial evidence and accused has been arrested on surmises and conjectures. He was in consensual relationship with deceased for last few years and there was no reason for him to have killed her. It is argued that 'last seen' is weak evidence and suspicion, howsoever, strong cannot take place of proof.

5. The Nominal Roll of the applicant indicates that his present custody period is of more than 4 years.

6. When asked the learned APP, on instructions of I.O., apprised that out of 40 cited witnesses, prosecution has examined 17 witnesses and material witnesses have already been examined.

7. There is no likelihood of trial being completed in near future, and the Court cannot be oblivious of the fact that the period of the incarceration is on the higher side, being more than 4 years. Indubitably, there is no inexorable formula in the matter of granting bail. Judicial discretion has to be, therefore, exercised while keeping in mind not only the factual matrix but various other aspects like age of the offender, his previous antecedents, chances of his tampering with evidence or influencing the witnesses etc. The bail jurisprudence which has evolved over period of time also acknowledges that long incarceration and inordinate delay in trial is violative of Article 21 of Constitution of India.

8. Keeping in mind the overall facts and circumstances of the case, previous clean antecedents of the applicants, *albeit*, without making any observation over the merits of the case, the applicant is directed to be released on bail on their furnishing personal bond and surety bond in a sum of Rs. 25,000/- each subject to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Judicial Magistrate First Class with following conditions:-



- (i) The applicant shall not leave the National Capital Region of Delhi, without prior permission of learned Trial Court.
  - (ii) The applicant would provide his Mobile Number to the concerned I.O and would ensure that such Mobile Number remains active and operational, till the disposal of the case by the learned Trial Court.
  - (iii) The applicant shall report to the concerned IO, first Sunday of every month at 10:00 AM, till the trial is concluded.
  - (iv) The applicant shall not leave the National Capital Region of Delhi, without prior permission of learned Trial Court.
9. Application stands disposed of accordingly.
10. A copy of this Order be immediately sent to the learned Trial Court and Jail Superintendent for information and necessary compliance.

**MANOJ JAIN, J**

**MARCH 17, 2026/jk/pb**