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

+ **BAIL APPLN. 3409/2025**

SHIVA SHARMA

.....Petitioner

Through: Ms. Gunjan Sinha Jain & Ms.
Sakshi Mand, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastava, APP.
SI Rahul, PS- Mangol Puri.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **10.02.2026**

1. By way of this application, the applicant seeks regular bail in connection with FIR No. 274/2021, dated 02.04.2021, under Section 302 of the Indian Penal Code, 1860, lodged at Police Station Mangol Puri.
2. The Sessions Court had earlier rejected an application of the applicant herein seeking regular bail *vide* order dated 12.03.2025, i.e. 11 months ago approximately.
3. Ms. Gunjan Sinha Jain, learned counsel for the petitioner, states that the petitioner has been in custody since 3/4.04.2021, i.e. for a period of four years and ten months already.
4. Mr. Tarang Srivastava, learned Additional Public Prosecutor, on the other hand, submits that out of 32 witnesses, 14 witnesses have already been examined, but one material witness remains to be examined,



and she has been summoned for 19.02.2026. Factually, it is not disputed by Ms. Jain, that a non-official witness remains to be examined.

5. Having regard to the fact that the last material witness is yet to be examined, I am of the view that the applicant's bail application should be considered thereafter.

6. Mr. Srivastava assures the Court that the prosecution will cooperate in the expeditious recording of the evidence.

7. In view of the above, the Sessions Court may consider the request for expeditious examination of the witnesses, insofar as possible, having regard to its Board and the age of the matters pending before it.

8. Having regard to the above, the application is disposed of, with liberty to the applicant to apply afresh before the Sessions Court after examination of the remaining material witness, who has been summoned for 19.02.2026.

9. It is made clear that this Court has not made any observations with regard to the merits of any future application, which the applicant may file, which may be considered by the Sessions court in accordance with law.

PRATEEK JALAN, J

FEBRUARY 10, 2026

"Bhupi"/AD/