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

+ **BAIL APPLN. 3795/2025, CRL.M.A. 29580-29581/2025**

**AJAY @ VIJAY**

.....Applicant

Through: Ms. Anshu Priyanka, Ms. Manya Parwar,  
Mr. Abhiraj Singh and Mr. Abhishek K,  
Advocates.

Versus

**STATE NCT OF DELHI**

.....Respondent

Through: Mr. Raghuinder Verma, APP for State  
with Mr. Aditya Vikram Singh and Ms.  
Upasna Bakshi, Advocates with Insp.  
Nipun (IO), Vigilance and SI Rohit Sagar,  
PS: Laxmi Nagar

**CORAM:**

**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

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**25.02.2026**

1. By virtue of the present application under *Section 439* of the Code of Criminal Procedure, 1973 (*Cr.P.C.*), the applicant seeks grant of regular bail in proceedings arising out of FIR No.2288/2014 dated 03.11.2014 registered at PS: Shakarpur under *Sections 302/34/120-B* of the Indian Penal Code, 1860 (*IPC*) read with *Sections 25/27* of the Arms Act, 1959 (*AA*).

2. As per FIR, the complainant's husband was shot at their residence, and upon being taken to the LNJP Hospital, was declared brought dead with three firearm entry wounds. The younger brother of the deceased namely Rajesh Thakur/ co-accused was a suspect since he was embroiled



in a land dispute with the deceased.

3. During the course of investigation, as per CCTV footages from nearby cameras and interrogating suspects, a conspiracy of murder contract between the accused persons came to light, in which the role of the applicant was going to the residence and shooting the deceased with Sonu @ Matka/ another co-accused. Accordingly, the applicant was taken into judicial custody.

4. The charge-sheet has since been filed on 08.12.2025.

5. Before this Court, learned counsel for the applicant submits that the only eye witness involved is the complainant (PW9), alongwith all other material/ public witnesses have already been examined. Thus, there are no chances of witness intimidation by the applicant, and hence, no fetters to granting him bail. Reliance upon *Sanjay Chandra vs. CBI:(2012) 1 SCC 49* is placed to submit that mere gravity of offence alleged cannot be the sole criteria for denial of bail to an applicant.

6. Hence, enlargement of the applicant on regular bail is sought.

7. Learned APP for the State has handed over a fresh Status Report, which is taken on record, and submits that the applicant is the prime accused who shot the deceased dead. He has been clearly seen on CCTV footage boarding the car involved in the commission of the crime before and after the incident, and his fingerprints have also been found therein. In fact, the applicant has also been identified by the complainant during her testimony before the learned ASJ.

8. Learned APP further submits that the applicant has continued to violate the law and commit heinous offences after the present offence. The same is clear from the three FIRs bearing Nos.244/2024, 156/2022 and



761/2022 under Sections 25/25A AA, 392/397/174A IPC and 395/397/174A IPC at PS: Crime Branch Delhi, PS: Crime Branch Lahori Gate and PS: Karol Bagh respectively. In fact, when the applicant was granted interim bail for a period of *two weeks* for treatment of his wife *vide* order dated 14.02.2022, he failed to surrender and Non-Bailable Warrants had to be issued against him on 05.03.2020.

9. Hence, dismissal of the present application by the learned APP is sought.

10. Heard learned counsels and perused the record.

11. In cases of the present nature, in view of the law laid down in ***Prasanta Kumar Sarkar vs. Ashish Chatterjee:(2010) 14 SCC 496***, ***State of U.P. vs. Amaramani Tripathi:(2005) 8 SCC 21*** and ***Deepak Yadav vs. State of U.P.:(2022) 8 SCC 559***, a holistic view of all factors like the *prima facie* case against the applicant; nature and gravity of the accusation; severity of punishment upon conviction; danger of evidence tampering and intimidation of witnesses; stage of trial; likelihood of offence repeating; and the like.

12. As there is a seriousness of the nature of offence alleged herein, which carries a sentence of imprisonment for life upon conviction, and there are cogent materials to *prima facie* show his involvement in a prime role, and since during the pendency of the present FIR, the applicant has been involved in as many as *three* subsequent FIRs, which are also carrying grave and serious allegations, one of which is, in fact, also under the AA, the same are not behoving any confidence, as they are sufficient for denying the regular bail to the applicant as it does not behove confidence.



13. Accordingly, the present application is dismissed.
14. Needless to say, since the expression(s) of opinion, if any, are for the purposes of adjudication of the present application only, they have no bearing on the overall merit/ trial involved.

**SAURABH BANERJEE, J**

**FEBRUARY 25, 2026/So**