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

+ **BAIL APPLN. 3812/2025**

ARJUN@ BONTA

.....Petitioner

Through: **Mr. Shankar, Advocate.**

versus

THE STATE GOVT OF NCT DELHI

.....Respondent

Through: **Mr. Aashneet Singh, APP with SI
Mahender Koli, P.S. Bhalswa
Dairy.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% 30.03.2026

1. By way of the present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with FIR No. 503/2024 dated 30.06.2024, registered at Police Station Bhalswa Dairy, District Outer North, New Delhi, for the offences punishable under Sections 307/34 of the Indian Penal Code, 1860 ["IPC"].

2. I have heard Mr. Shankar, learned counsel for the applicant, and Mr. Aashneet Singh, learned Additional Public Prosecutor for the State.

3. By order dated 08.10.2025, the Investigating Officer was directed to inform the complainant/victim of the pendency of the present proceedings. In the order of the learned Sessions Court dated 16.12.2025, it is recorded that PW-Salim, who is the complainant/victim in the present



case, is absconding, as he is wanted in a different FIR [FIR No. 731/2024, registered at Police Station Bhalswa Dairy, District Outer North, New Delhi, under Sections 103/161(2) of the Bharatiya Nyaya Sanhita, 2023]. In this view of the matter, Mr. Singh submits that service upon the complainant/victim may be dispensed with.

4. The present FIR arises out of an incident on 30.06.2024 at about 02:00 AM, when it was reported that an injured person by the name of Sunny had been taken to Babu Jagjivan Ram Memorial Hospital with a reported history of physical assault. Upon investigation, it was found that there were two injured persons, namely Sunny and Salim. The FIR was registered at the instance of Salim, who alleged that, on the intervening night of 29-30.06.2024, he and his friends were walking on the street when they were attacked by the present applicant and his associates, including Robin @ Sajan, Ankit Parcha, Ram Pratap @ Kale, and Mogli @ Jatin. Sunny was attacked with sticks and knives, and upon attempting to rescue him, it is alleged that Salim was also assaulted with a stick by Ankit Parcha, and with a knife by Ram Pratap @ Kale.

5. The allegation is that three of the accused namely Ram Pratap @ Kale, Mogli @ Jatin, and Robin @ Sajan, were armed with knives, and Ankit and the present applicant were armed with sticks. There is an allegation of prior enmity between Salim and the accused in the present case. It is also stated that there were prior FIRs between the parties. In the status report, it is contended that one of the weapons of the offence, being a knife, was recovered at the instance of the present applicant, and that the Medico-Legal Certificate of injured – Sunny records grievous injuries.



6. Mr. Shankar submits that the investigation has been completed and the chargesheet has been filed. The applicant has remained in judicial custody for a period of over 21 months. He submits that the FIR in the present case is born out of personal enmity between the victims and the applicant and his associates, and is a retaliatory FIR, to counter FIR No. 344/2024, registered at Police Station Bhalswa Dairy, District Outer North, New Delhi, at the instance of the present applicant on 13.04.2024, under Sections 307/34 of the IPC, against associates of Salim.

7. Mr. Shankar has also drawn my attention to four orders of the learned Sessions Court in the present case, which are taken on record. It appears that charges were framed on 21.05.2025, after which the matter was fixed for prosecution evidence on 27.08.2025. However, no prosecution witness was present on that date, and the case was adjourned to 16.12.2025. The injured – Sunny was present on 16.12.2025, but the matter was adjourned at his request. It is recorded in the said order that injured – complainant Salim could not be served because he is wanted in FIR No. 731/2024 registered at Police Station Bhalswa Dairy, District Outer North, New Delhi, and is absconding. On the last date of hearing, i.e. 24.03.2026, PW-HC Prem Nath was present, but was discharged unexamined due to non-production of the present applicant. The case has now been fixed for recording of evidence on 20.07.2026. Mr. Shankar submits that the aforesaid orders reveal that the conclusion of the proceedings is likely to take substantial time.

8. Mr. Singh, on the other hand, submits that even the injured witnesses are yet to be examined. He submits that grievous injuries were inflicted upon one of the victims – Sunny, and that the present applicant



also has a prior involvement in one case [FIR No. 888/2022 registered at Police Station Bhalswa Dairy, District Outer North, New Delhi, under Sections 307/506/34 of the IPC].

9. Although the allegations under Section 307 of the IPC are undoubtedly serious, it is evident that the investigation in the present case is complete, and the chargesheet has been filed. The applicant has already been in custody for a period of 21 months, and the trial has not progressed for the last ten months since charges were framed. As recorded above, on the first date fixed for prosecution evidence on 27.08.2025, no prosecution witness was present. On the next date, i.e. 16.12.2025, one of the injured victims – Sunny was present, but sought an adjournment. He was bound down to appear on 24.03.2026, but the order dated 24.03.2026 does not record his presence. The other injured victim – Salim has been reported to be absconding as he is accused in another FIR. On the last date of hearing also, one prosecution witness [PW-HC Prem Nath] was present, but could not be examined due to non-production of the present applicant. In these circumstances, it appears that the conclusion of the trial, and recording of the testimony of even the injured victims, is unlikely to take place in a short period of time.

10. Although there is one prior involvement of the applicant, that is also at the instance of the present complainant/victim, and there appears to be a history of cross-FIRs between the parties. In *Prabhakar Tewari v. State of Uttar Pradesh and Anr.* [(2020) 11 SCC 648], the Supreme Court has clearly held that prior involvements need not always be a ground to deny bail to an accused. Having regard to the above, I am of the view that the applicant need not be deprived of his liberty solely on the basis of the



aforesaid prior involvement.

11. It is, therefore, directed that the applicant be released on regular bail in connection with FIR No. 503/2024 dated 30.06.2024, registered at Police Station Bhalswa Dairy, District Outer North, New Delhi, under Sections 307/34 of the IPC, subject to furnishing of a personal bond in the sum of Rs. 20,000/-, with one surety in the like amount, to the satisfaction of the concerned Trial Court/Duty Metropolitan Magistrate, and subject to the following further conditions:

- a. The applicant shall appear before the concerned Trial Court on each and every date of hearing fixed.
- b. The applicant shall ordinarily reside at the address as per prison records, and shall not change the address without informing the concerned Investigating Officer [“IO”]/ Station House Officer [“SHO”].
- c. The applicant shall furnish his mobile number to the concerned IO/SHO, and shall ensure that the said mobile number remains operational and switched on at all times. The mobile number shall not be changed, nor shall the phone be switched off, without prior intimation to the IO/SHO.
- d. The applicant shall not, directly or indirectly, contact, nor visit, nor offer any inducement, threat, or promise to any of the prosecution witnesses or other persons acquainted with the facts of the case.
- e. The applicant shall not, directly or indirectly, tamper with evidence nor otherwise indulge in any act or omission that would prejudice the proceedings in the pending trial.



- f. The applicant shall not commit any offence during the pendency of the proceedings.
12. The bail application is disposed of in terms of the above.
13. It is clarified that the observations made herein are solely for the purpose of adjudication of the present bail 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.
14. A copy of this order be sent to the concerned Jail Superintendent for information and necessary compliance.

PRATEEK JALAN, J

MARCH 30, 2026

'Bhupi/KA'/'