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

+ BAIL APPLN. 4315/2025 & CRL.M.A. 36085/2025,
CRL.M.(BAIL) 2397/2025
GURDEEP SINGHPetitioner

Through: Mr.Jaspreet Singh Rai, Mr.Pankaj
Kumar and Mr.Devinder Singh,
Advocates

versus

STATE NCT OF DELHIRespondent

Through: Mr.Yudhvir Singh Chauhan, APP
for State with SI Ravinder Kumar,
PS Kamla Market

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **28.03.2026**

1. The present bail application was scheduled to be listed on 02.03.2026 but has been listed today, as 02.03.2026 was declared a holiday *vide* Notification No. 64/G-4/Genl.-I/DHC dated 27.02.2026.

2. By way of the present bail application, the applicant seeks regular bail in connection with FIR No. 182/2022 dated 12.04.2022, registered at Police Station Kamla Market under Sections 302, 307, and 201 of the Indian Penal Code, 1860 ["IPC"]. A chargesheet was subsequently filed on 10.07.2022.

3. I have heard Mr. Jaspreet Singh Rai, learned counsel for the applicant, as well as Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor for the State.

4. By order dated 12.11.2025, the Investigating Officer was directed to inform the complainant/victim and the family members of the deceased



that they may be heard in the present proceedings. Although none of them are represented, Mr. Chauhan, on instructions from SI Ravinder Kumar, the Investigating Officer, who is present in Court, states that the injured/complainant has been duly informed of the pendency of the proceedings, and that the whereabouts of the family members of the deceased are not known.

5. Mr. Chauhan has also handed over a Status Report dated 22.11.2025, which is taken on record.

6. The prosecution case, briefly stated, is that the complainant, Siya Ram Prasad, had borrowed money from the present applicant. On 12.04.2022, at about 6:00 PM, the applicant visited the complainant's shop to demand repayment of the said amount. At that time, the complainant was present alongwith a driver, Ganga Mahto. As the complainant was unable to repay the amount immediately, a quarrel ensued, during which the applicant allegedly stabbed Ganga Mahto with a kirpan and also caused injuries to the complainant. Both victims were subsequently taken to hospital by members of the public, where Ganga Mahto was declared dead. The applicant was arrested from the spot, and sent to judicial custody on 13.04.2022.

7. The prosecution relies upon the statements of the injured/complainant, as well as an independent eyewitness, Mewa Lal. Reliance is also placed on the Forensic Science Laboratory ["FSL"] report, which confirms that the DNA profile from the nail clippings of the applicant matches with the DNA profile generated from the gauze cloth pieces of the complainant. The relevant conclusion from the FSL Report dated 14.10.2022 reads as follows:



“The mixed DNA profile generated from the source of exhibits ‘1 3a’ (Shirt of accused Gurdeep Singh) & ‘19A’ (Nail cuttings of accused Gurdeep Singh) is matching with the DNA profile generated from the source [sic.] of exhibits ‘17’ (Gauze cloth piece of accused Gurdeep Singh) and ‘18’ (Gauze cloth piece of injured Siyaram Prasad).”

8. Mr. Rai submits that the applicant has already been in custody for a period exceeding 3 years and 9 months, and that all material witnesses have been examined. He draws my attention to the testimony of the complainant [PW-1] and the aforesaid eyewitness, Mewa Lal [PW-5], which, according to him, do not support the prosecution case. He further submits that the applicant was earlier released on interim bail on two occasions, i.e., on 10.10.2024 and 17.08.2025, and has not misused the liberty so granted.

9. As regards the FSL report, Mr. Rai submits that the prosecution has failed to establish any nexus between the applicant and the alleged weapon of offence. He also submits that, insofar as the DNA evidence is concerned, the applicant’s DNA matches only with his personal belongings and with that of the complainant, and that there is no match whatsoever with the DNA of the deceased.

10. Mr. Chauhan submits that the allegations against the petitioner are serious, and include stabbing leading to the death of a person. He submits that, although the complainant and Mewa Lal had initially given statements to the police implicating the present applicant, both have since turned hostile and resiled from their earlier statements. He also accepts that the alleged weapon of offence was not recovered at the instance of the applicant and that no fingerprints were lifted therefrom.

11. Having heard learned counsel for the parties, I am of the view that



this the *prima facie* material available, merits grant of bail to the applicant, particularly as the applicant has remained in custody for over 3 years and 9 months and all material witnesses have already been examined. *Prima facie*, no recovery has been effected from the applicant, and the FSL report does not indicate any DNA match between the alleged weapon of offence and the applicant, or between the applicant and the deceased. Further, no fingerprints were lifted from the said weapon of offence. The testimonies of PW-1 and PW-5, which are on record, are matters for appreciation at trial but, at this stage, suffice it to say that they do not appear to be supportive of the prosecution case.

12. Having regard to the aforesaid facts, I am of the view that the applicant ought not to be deprived of his liberty any further pending trial.

13. It is, therefore, directed that the applicant be released on bail upon furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount, to the satisfaction of the learned Trial Court/Duty Magistrate, and subject to the following conditions:

- a) The applicant shall appear before the Sessions Court on every date of hearing as fixed;
- b) The applicant shall not leave the country without prior permission of the Sessions Court;
- c) The applicant shall furnish his permanent address to the concerned Investigating Officer [“IO”]/Station House Officer [“SHO”], as well as the address at which he is residing during the pendency of the case, and shall, in the event of any change in his residential address, promptly intimate the IO/SHO and file an affidavit before the Sessions Court;



- d) The applicant shall furnish his mobile number to the concerned IO/SHO and ensure that the number remains operational and switched on at all times. The mobile number shall not be changed, nor the phone switched off, without prior intimation to the IO/SHO;
 - e) The applicant shall not, directly or indirectly, contact, visit, or offer any inducement, threat, or promise to any prosecution witnesses or other persons acquainted with the facts of the case;
 - f) The applicant shall not, directly or indirectly, tamper with evidence or engage in any act or omission that could prejudice the proceedings of the pending trial;
 - g) The applicant shall not commit any offence during the pendency of the proceedings.
14. The bail application is accordingly disposed of in the aforesaid terms.
15. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings nor be construed as an expression of opinion on the merits of the case.
16. A copy of this order shall be communicated to the concerned Jail Superintendent electronically for necessary information and compliance.

PRATEEK JALAN, J

MARCH 28, 2026
'sv'/SD