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

+ **BAIL APPLN. 4561/2025**

SHAHID HASAN

.....Petitioner

Through: Ms. Mercy Hussain, Mr. Nagendra
Pratap Singh, Mr. C.P. Singh and Ms.
Kirti Singh, Advocates

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with Ms. Puja Mann,
Advocate

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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18.03.2026

1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing No. 101/2018, registered at Police Station Welcome, Delhi, for the commission of offence punishable under Sections 307/326/341/34 of the Indian Penal Code, 1860 (hereafter 'IPC') and Section 27 of Arms Act, 1959.
2. Briefly stated, facts of the present case are that on 28.03.2018, a PCR call vide DD No. 98B regarding a stabbing incident was received at Police Station Welcome. Upon reaching the spot, neither the victim nor the complainant was found, and the call was initially marked as untraced. Subsequently, it was revealed that the injured, Md. Nadeem (aged 15 years),



had been admitted to GTB Hospital with stab injuries *vide* MLC No. B-2186/09/18. The statement of the injured was thereafter recorded, wherein he stated that on 28.03.2018 at about 9:30 PM, he along with his friend Anas had gone to the workshop of one Nazim at Janta Colony to retrieve Anas's mobile phone from the applicant, Shahid Hasan. Upon meeting the applicant along with co-accused Faisal and Salman, a heated argument ensued, following which the applicant returned the mobile phone. It is further alleged that at about 11:00 PM, while the injured was returning home, the applicant, along with co-accused persons, wrongfully restrained and assaulted him, during which the applicant inflicted two knife blows on the left side of his abdomen and chest. On the basis of the said statement, the FIR was registered.

3. During investigation, the accused persons were arrested and disclosed their involvement; however, the weapon of offence could not be recovered. The accused were subsequently released on bail. On 22.05.2018, the injuries were opined to be grievous, whereupon Section 326 of IPC was added. Subsequently, Sections 307 of IPC and 27 of Arms Act were invoked on 12.02.2019 pursuant to directions of the Ld. Metropolitan Magistrate. Thereafter, the applicant and co-accused failed to join investigation and absconded, leading to issuance of NBWs against them on 21.05.2019. Co-accused Faisal was arrested on 25.06.2019 and a chargesheet was filed against him under Sections 324/326/307/341/34 of IPC and 27 of Arms Act. The applicant and co-accused Salman were declared Proclaimed Offenders *vide* order dated 28.04.2023. The petitioner was ultimately arrested on 30.10.2024 from his native village. During trial, charges under Sections 307/341/34 IPC and Section 174A IPC were framed against the applicant on



17.11.2025.

4. The learned counsel appearing for the present accused/applicant argues that the applicant has been falsely implicated in the present case, and he has been in judicial custody for about 1 ½ years. The applicant has no previous involvement. It is further submitted that the investigation *qua* the present applicant is complete and the chargesheet already stands filed. Therefore, it is prayed that the accused/applicant be granted regular bail.

5. The learned APP for the State, on the other hand, opposes the present bail application and argues that allegations against the accused are serious in nature, and if released, the applicant herein may extend threats to the prosecution witnesses. The offence alleged is of a grave and heinous nature, involving the brutal stabbing of a minor with a sharp weapon. The petitioner remained absconding for over five years since 21.05.2019 and was declared a Proclaimed Offender *vide* order dated 28.04.2023, and was apprehended only on 30.10.2024 after deliberate evasion, demonstrating wilful non-cooperation with the due process of law. In view of his past conduct, there exists a strong likelihood of his absconding again if released on bail. Thus, it is prayed that the present application be dismissed.

6. This Court has **heard** arguments addressed by the learned counsel appearing for the applicant as well as the State and has perused the material on record.

7. This Court notes that the allegations against the applicant are that a quarrel had ensued between the applicant and the injured person, during which the applicant is alleged to have stabbed the injured with a knife.

8. This Court notes that the applicant has remained in judicial custody for more than one year, the chargesheet has already been filed, and the trial



is likely to take a considerable time to conclude.

9. Considering the overall facts and circumstances of the present case, including the period of custody already undergone by the applicant, and for reasons mentioned above, this Court is inclined to grant regular bail to the applicant on his furnishing personal bond in the sum of Rs.10,000/- with two sureties of the like amount to the satisfaction of the Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if he has passport, he shall surrender the same to the concerned trial court.
- ii) The applicant shall share his contact details (mobile numbers and residential address) with the IO/SHO and the Trial Court; and in case of any change in the said details, the applicant shall promptly inform the same to the concerned Court and the concerned IO/SHO.
- iii) The applicant shall appear before the Trial Court on every date of hearing unless exempted;
- iv) The applicant shall not indulge in any criminal activity;
- v) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.

10. The present bail application is accordingly disposed of.

11. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.



12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 18, 2026/ns/RB