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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **BAIL APPLN. 4771/2025 & CRL.M.A. 36705/2025,**
CRL.M.A. 36706/2025

MR PARVESH KUMAR

...Applicant

Through: Ms. Rajeshwari Hariharan and
Mr. Ansh Sharma, Advocates.

versus

STATE NCT OF DELHI

...Respondent

Through: SI Arvind Kumar, AEKC,
Crime Branch.
Mr. H.S.Phoolka, Senior
Advocate with Ms. Shilpa
Dewan, Ms. Surpreet Kaur and
Mr. Karthik Goyal, Advocates
for complainant.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

16.01.2026

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1. The present bail application is filed by the applicant seeking regular bail in FIR No. 227/2019 dated 08.08.2019, registered at Police Station Hauz Khas, for the offence under Sections 307/34 of the Indian Penal Code, 1860 ('IPC').
2. In the present case, the applicant was admitted on bail by the learned Trial Court by order dated 09.09.2019 on the ground of parity, and he was released from custody on 04.10.2019. Subsequently, by order dated 26.09.2024, this Court had cancelled the bail granted to the applicant pursuant to proceedings under Section 82 of the Code of Criminal Procedure, 1973 being initiated against him on account of non-appearance before the learned Trial Court.



3. It is submitted that the applicant voluntarily surrendered on 01.10.2024 and is in custody since then. It is further submitted that the applicant's non-appearance was not deliberate and he had shown his *bona fides* by voluntarily surrendering.

4. On being asked, it is informed that the trial has not proceeded much. While the victim has already been examined, it is pointed out that 27 witnesses are still left to be examined. In such circumstances, speedy trial in the present case does not seem to be a possibility.

5. In the opinion of this Court, the applicant has suffered sufficiently for not appearing before the learned Trial Court as he has remained in custody for more than 13 months after his surrender. No purpose would be served by keeping the applicant in further custody and the applicant cannot be made to suffer in incarceration endlessly.

6. However, in order to allay the fear of the applicant not joining the Court proceedings in future, appropriate conditions ought to be put.

7. In view of the above, the applicant is admitted on bail and is directed to be released on furnishing a personal bond for a sum of ₹50,000/- with two sureties of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. The applicant is directed to mark his presence with the concerned IO once every week;
- b. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- c. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court;



- d. The applicant shall appear before the learned Trial Court on every date of hearing;
 - e. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO. Since an apprehension has been raised that the applicant had not provided the correct address on the earlier occasion, the learned Trial Court is directed to verify the address provided by the applicant at the time of his release;
 - f. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
8. In the event of there being any FIR/DD entry/complaint lodged against the applicant, it would be open to the respondent to seek redressal by filing an application seeking cancellation of bail.
9. It is clarified that the observations made in the present order are only for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.
10. The bail application is allowed in the aforementioned terms.
11. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

JANUARY 16, 2026

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