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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 4841/2025, CRL.M.A. 37195/2025

ABID

.....Applicant

Through: Mr. M.S. Khan, Mr. M. Yasir Khan
and Mr. Farhan, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Raghuinder Verma, APP for
the State with Mr. Aditya Vikram
Singh and Ms. Upasna Bakshi,
Advocates alongwith SI Anil, PS
Seemapuri
Mr. Sarthak Karol, Advocate
(DHCLSC) with Ms. Neelakshi
Bhadauria and Mr. Shashank
Sharma, Advocates for complainant

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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29.04.2026

1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**) applicant seeks regular bail in the proceedings arising out of FIR No. 422/2025, registered at P.S. Seemapuri, Delhi for offences punishable under *Sections 309(6)/311/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**).
2. As per FIR, the complainant, who is a resident of Kannauj, U.P came to Delhi on 14.05.2025 in search of employment and reached Anand Vihar Bus Stand, where at about 2:30 AM he hired an auto to go to Karnal Bypass for Rs.100/-. At about 2:40 AM near an underpass at Vivek Vihar



towards Seemapuri, the auto driver and two unknown boys, in furtherance of common intention, stopped at a secluded spot and robbed him of Rs.1000 and his mobile. Upon resistance, they threatened and assaulted him with a sharp object causing injury to his left hand. Acting in self-defense he grappled and managed to escape. Thereafter, he informed the police and received necessary medical treatment.

3. During investigation, the police received information about two boys being admitted to GTB Hospital near Seemapuri underpass due to injuries. Further, upon identification by the complainant, accused Shaukat Ali @ Saukat Ali and the present applicant were found to have been involved in the alleged incident. Accordingly, the present FIR came to be registered on 15.05.2025.

4. Mr. M.S. Khan, learned counsel for the applicant primarily submits that the applicant is a person with clean antecedents who has been falsely implicated in the present case. Moreover, nothing incriminating has been recovered from his instance. He submits that no CCTV footage has been placed on record to corroborate the prosecution's case. He submits that it was, in fact, the complainant who had attacked the applicant with a sharp object in an inebriated state, which resulted in severe injuries to the applicant (supported by his MLC report). Lastly, he submits that the applicant has been languishing in judicial custody since 15.05.2025 i.e. for more than *eleven months* as on date, and since the co-accused has been enlarged on bail *vide* order dated 26.09.2025 by the learned Trial Court, on parity, he may also be granted bail.

5. *Per contra*, Mr. Raghuinder Verma, learned APP for State has handed over a copy of the Status Report, which is taken on record.



Relying thereupon, he opposes the present application to submit that the applicant does not deserve to be released on bail as the allegations against him are grave and serious in nature for offences under *Sections 309(6)/311/3(5)*. He submits that the said offence was not a mere quarrel and has been committed by the accused persons in a premeditated and organized manner, as evident from the modus operandi i.e. of targeting unsuspecting victims, luring him to a secluded location, overpowering and threatening him by using a sharp-edged to rob him of his belongings. Lastly, since one of the co-accused, Sehzaad, is still absconding and the weapon used is yet to be recovered, the present application may be dismissed.

6. Mr. Sarthak Karol, learned standing counsel of DHCLSC appearing for the complainant/ respondent no.2, has also handed over a copy of the written synopsis, which is taken on record. He, supporting the case of the State, submits that the injuries alleged to have sustained by the applicant herein, have been inflicted in the act of self-defence and cannot be construed otherwise.

7. This Court has heard the learned counsels and perused the record.

8. Considering the nature and gravity of the accusations levelled against the applicant, the severity of the punishment prescribed in the event of conviction, and particularly since the role, as also, the incident involved are seemingly as a result of some pre-plan, more so, since it is an act of robbery at knife-point, which resulted in endangering the life of the complainant, no case for grant of a regular bail to the applicant is made out, especially, at this stage.

9. In any event, records reveal that the trial itself is at a nascent stage and that one of the co-accused is still absconding. These themselves raise



a serious apprehension in the mind of this Court that, if released on bail, the applicant might influence the witnesses and/ or hamper the trial and/ or abscond to evade the process of law.

10. Accordingly, the present application is dismissed and disposed of in the aforesaid terms.

11. Needless to say, since the expression of opinion, if any, are for the purposes of adjudicating the present application only, they shall have no bearing on the overall merits/ trial involved.

SAURABH BANERJEE, J

APRIL 29, 2026/rr