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

+ BAIL APPLN. 4845/2025

SAWAN@ESHU@DABARI

.....Petitioner

Through: Mr. Yoginder Kumar Yatharth,
Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State with
SI Madan Lal, PS: Anand Parbat,
Delhi.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

24.03.2026

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1. By way of the present application, the applicant seeks grant of regular bail in FIR bearing No. 231/2025, registered at Police Station Anand Parbat, Delhi, for the commission of offences punishable under Sections 109(1)/3(5) of Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
2. Issue notice. The learned APP accepts notice on behalf of the State.
3. Briefly stated, the facts of the present case are that on 09.04.2025, information regarding a stabbing incident was received at Police Station Anand Parbat from Sardar Vallabhbhai Patel Hospital *vide* DD No. 132A. Upon receipt of the said information, the Investigating Officer (I.O.) reached the hospital, where it was learnt that the injured had been referred to DDU Hospital, New Delhi. The I.O. thereafter reached DDU Hospital and found the injured, Saurabh, admitted *vide* MLC No. 2402/25. In view of the



severity of the injuries, particularly a stab wound to the chest, the injured was taken for surgery and subsequently referred to Safdarjung Hospital in a critical condition. The MLC was collected from the Emergency Department of DDU Hospital.

4. In the meantime, the statement of the eyewitness/complainant, Jeetu Shah, was recorded, on the basis of which the present FIR came to be registered. It was revealed that a quarrel had occurred between the complainant and co-accused Anuj on account of alleged verbal abuse during a marriage function in the locality. Apprehending further escalation, the complainant left the spot and stood near Gopal Dairy, where the injured Saurabh joined him. Subsequently, co-accused Anuj arrived at the spot and called co-accused persons Ram, Lakshay (CCL), and Sawan @ Ishu Dabri (the present applicant). Thereafter, co-accused Anuj, along with Ram and Lakshay, allegedly caught hold of the complainant, while the present applicant attacked him with a knife; however, the complainant managed to evade the initial assault. It is further alleged that when the applicant again attempted to stab the complainant, the injured Saurabh intervened to save him and, in the process, sustained stab injuries on his thigh and the right side of his chest, with the knife getting lodged in his chest. Thereafter, all the accused persons fled from the spot.

5. The learned counsel for the applicant argues that the applicant has been falsely implicated in the present case and has been in judicial custody since 11.04.2025. It is further submitted that, as per the MLC, the nature of injuries sustained by the injured has been opined to be simple. It is also pointed out that co-accused Anuj, with whom the alleged quarrel had taken place, has already been granted bail. It is further argued that the



complainant, examined as PW-1 before the learned Trial Court, and therefore, there is no likelihood of the applicant influencing or threatening the complainant. Accordingly, it is prayed that the applicant be enlarged on bail.

6. The learned APP for the State vehemently opposes the present bail application, and argues that the allegations against the applicant are serious in nature. It is argued that the applicant is the assailant who had stabbed the injured with a knife, causing injuries on his thigh and chest. However, it is not disputed that, as per the MLC, the nature of the injuries has been opined to be simple. Accordingly, it is prayed that the present bail application be dismissed.

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

8. The allegations against the present applicant are that he, along with other co-accused persons, had attempted to cause injuries to the complainant; however, the injured Sourabh had intervened to save the complainant and, in the process, was allegedly stabbed by the applicant, sustaining injuries on his thigh and chest.

9. It is noted that, as per MLC No. 2402/25, the final opinion of the doctor has opined the injuries sustained by the injured as simple in nature. It is noted that co-accused Anuj, with whom the alleged quarrel with the complainant had taken place, has already been granted bail by the learned ASJ *vide* order dated 06.09.2025.

10. It is further noted that charges have been framed in the present case and the complainant, examined as PW-1, has already deposed before the



learned Trial Court. In such circumstances, there is no reasonable apprehension that, if enlarged on bail, the applicant would threaten or influence the complainant.

11. It is to be considered that there are 17 prosecution witnesses in total and only PW-1 has been examined so far; the trial is likely to take considerable time to conclude, further, it is also not disputed that the applicant has no prior criminal antecedents.

12. Therefore, considering the overall facts and circumstances of the present case, including the period of custody already undergone by the applicant, the absence of any criminal antecedents and the co-accused has already been granted bail, and the fact that the trial is likely to take considerable time to conclude, this Court is inclined to grant regular bail to the applicant on his furnishing personal bond in the sum of Rs.10,000/- with one surety 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.
13. The bail application is accordingly disposed of.
14. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.
15. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 24, 2026/vc

GJ