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

+ BAIL APPLN. 4985/2025, CRL.M.A. 38390/2025

KRISHAN MANDAL

.....Applicant

Through: Mohd. Atif , Mr. Vaibhav Saini and
Mr. Ishan Jain, Advs.

Versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Raghuinder Verma, APP with
Ms. Upasana Bakshi, Ms. Divya
Bakshi and Mr. Gourav Singh,
Advs.

Mr. Charanpreet Singh and Mr.
Akshat Chawla, Advs. for
complainant

SI- Sonu Kumar, PS: Okhla
Industrial Area.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

22.04.2026

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1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks grant of regular bail in proceedings arising out of FIR No.427/2025 dated 11.05.2025 registered at PS: Okhla Industrial Area under *Sections 109(1)/115(2)/126(2)/351(3)/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**) and *Section 25/27* of the Arms Act, 1959 (**AA**).

2. As per FIR, on 10.05.2025 at about 12:45 AM while the complainant and his friends were walking towards Kargil Chowk, Indra Kalyan Vihar, Okhla Phase-I, Delhi, the applicant and co-accused persons with whom they had a prior dispute, attacked them and beat them up with



fists and kicks. Thereafter, when the complainant was having a conversation with the applicant's father, the applicant and co-accused persons once again arrived and started attacking them with sticks and after some time, one co-accused Durga Nand started firing at the complainant with a country-made pistol, and one of the pellets hit the complainant's friend on his hand, neck, face and head, whereafter both the complainant and his friend were admitted to the AIIMS Trauma Centre. The FIR was accordingly registered and the applicant was arrested on 11.05.2025.

3. In these facts, learned counsel for the applicant prays for grant of bail to the applicant on the ground that he was not actively involved in the scuffle that took place and did not inflict any injuries upon the complainant or his friend, rather, he attempted to diffuse the quarrel. Even the pistol was not wielded by him but by the co-accused Durga Nand, which is also evident from the CCTV footage. He further submits that the father of the applicant had also filed an application before the Police to obtain the CCTV footage which would prove that the applicant did not take any steps against the complainant or his friend, as also that the complainant himself wielded firearms, but the same was not provided to him. Based thereon, as also since the applicant is of young age about 24 years old and has already been under incarceration for nearly one year, he submits that the present application ought to be allowed.

4. *Per contra*, learned APP for State opposes grant of bail to the applicant and submits that the offence alleged in the FIR whereby the applicant has been consistently named all throughout is heinous in nature, *qua* which the charges have already been framed against the applicant and the trial is now at a nascent stage, since the independent witnesses are yet



to be examined. He further submits that armed weapons were involved in the present case, which shows the gravity of the attack, and in fact the country-made pistol has also been recovered at the instance of the co-accused Durga Nand. He submits that the applicant can be clearly seen as part of the group in the CCTV footage recovered and thus, seeing the *prima facie* case against him, the present application ought to be rejected.

5. Learned counsel for the complainant, in support of learned APP, also submits that the applicant along with the co-accused had been searching for an opportunity to initiate a fight with the complainant since a long time due to their prior scuffle, and hence, the entire act was premeditated with a clear motive, and the applicant ought not be granted any benefit of the role assigned, especially when there is every possibility of his intimidating the witnesses and tampering with the evidence, as also absconding like *three* of the other co-accused who are currently missing.

6. Heard.

7. Careful perusal of the record shows that though the applicant has been named in the FIR from the start till the end, no specific role has been assigned to him insofar either the scuffle and/ or the infliction of injuries upon the complainant and his friends is concerned. There is also no denial to the fact that the father of the applicant had himself filed an application before the Police to obtain the CCTV footage of the incident.

8. Further, it is also not in dispute that the applicant has past clean antecedents and that his conduct while in jail has been “*Satisfactory*”. Moreover, he is a young boy aged about *24 years old* with a life and future ahead, and he has already been under incarceration for nearly *one year*.

9. Records reflect that the investigation is concluded and the trial is



still at a nascent stage, with as many as 22 *witnesses* of the prosecution, and hence not likely to conclude soon as well.

10. Thus, taking a cumulative view of the relevant factors for grant of bail alongwith the facts and circumstances involved herein, this Court is of the view that this is a fit case for grant of bail.

11. As such, the present application is allowed. The applicant thus be released on regular bail in proceedings arising out of FIR No.427/2025 dated 11.05.2025 registered at PS: Okhla Industrial Area under *Sections 109(1)/115(2)/126(2)/351(3)/3(5) BNS* and *Section 25/27 AA* upon him furnishing a personal bond in the sum of Rs.25,000/- [*Rupees Twenty Five Thousand Only*] along with one surety of the like amount by a family member/ friend having no criminal case pending against him/ her and subject to the satisfaction of the learned Jail Superintendent, and further subject to the following conditions:

- i. Applicant shall not leave NCT of Delhi without prior permission of this Court and shall ordinarily reside at the address as per prison records. If he wishes to change his residential address, he shall immediately intimate about the same to the IO by way of an affidavit.
- ii. Applicant shall surrender his passport, if any, to the IO, within a period of *three days*.
- iii. Applicant shall appear before the Court as and when the matter is taken up for hearing.
- iv. Applicant shall provide all his mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not be switch off or change the mobile number without prior



intimation to the IO concerned. Mobile location be kept on at all times.

v. Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the prosecution witnesses, or tamper with the evidence of the case.

12. The present application, along with pending application, is disposed of.

13. Copy of this order be sent to the concerned Jail Superintendent for information and compliance.

14. Needless to say, expression of view(s) on the merits involved, if any, are solely for the purposes of adjudication of the present bail application and shall have no bearing on the overall case/ trial involved.

SAURABH BANERJEE, J

APRIL 22, 2026/Ab