



2026:DHC:3532



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

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Date of Decision: 27.04.2026+ **BAIL APPLN. 5067/2025 & CRL.M.A. 38935/2025**

SAHIL KHATRI

.....Petitioner

Through: None.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for State
with IO/SI Daya Ram.**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicant seeks anticipatory bail in case FIR No. 734/2025 of Police Station Narela for offence under Section 109(1)/3(5) BNS and 27 Arms Act.

1.1 This application was earlier pending before a coordinate bench of this court and has been transferred to this bench in view of judgment dated 21.01.2026 of this bench, whereby anticipatory bail was granted to co-accused Jakir Hussain.

2. None has appeared on behalf of the accused/applicant.

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3. I have heard learned APP for State assisted by IO/SI Daya Ram.

4. Broadly speaking, the prosecution case is that there was a scuffle between two groups in which the present accused/applicant brandished a pistol on victim Arbaz and in the course of that scuffle, the present accused/applicant pulled the trigger, thereby firing a shot at point blank on right knee of Arbaz.

5. The co-accused Jakir was granted anticipatory bail on certain observations recorded from the investigation file. Those observations from the judgment dated 21.01.2026 in the case of **Jakir Hussain vs State of NCT of Delhi**, (2026:DHC:519) are extracted below:

"5. Having examined the FIR, I also examined the investigation file. Initially, Arbaz was taken to Satyawadi Raja Harish Chandra Hospital at about 10:00pm and on examination, the concerned doctor reported the injury found on Arbaz as: "right thigh 2 entry wound 0.5x0.5 cm. No exit wound present". The examining doctor referred Arbaz to LNJP Hospital. Before LNJP hospital, the IO moved an application for opinion of a surgical expert. In his report dated 07.11.2025, the LNJP doctor gave findings including no tattooing or blackening around the wound.

6. As rightly submitted by learned counsel for accused/applicant, going by the version of the alleged firing from point blank range, it is not possible that the entry would not be reflecting tattooing or blackening. Further, the question is that if the bullet entered the thigh of Arbaz, where did it go. No bullet from body of Arbaz or even any empty shell from the spot was recovered."

6. Learned APP assisted by IO/SI Daya Ram submits that initially, the injured Arbaz was taken to Satyawadi Raja Harish Chandra Hospital, where

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his MLC was prepared, specifically recording that the right thigh of Arbaz bore two entry wounds, but no exit wound. But thereafter, Arbaz was taken to LNJP hospital according to the IO, and the LNJP hospital recorded presence of an entry wound and an exit wound. Therefore, the present anticipatory bail application is opposed.

7. But a perusal of LNJP record would show that what is stated therein is ‘?’ entry/exit wound which means ‘suspected’ entry/exit wound and not confirmed entry/exit wound. Moreover, if the two wounds are on same side of the body and only one bullet was fired, it is not possible for the bullet to enter the body and exit on same side after taking U-turn inside the body. In any case, it is a vital implausibility in the investigation. Besides that, according to medical record, no tattooing or blackening around the gunshot injury was found, which is not possible when a bullet is fired at point blank. However, on these aspects the trial court shall take an independent view after appreciating evidence adduced.

8. Neither any bullet was retrieved from body of Arbaz nor any bullet was found on the spot.

9. Considering the above circumstances, I find no reason to deprive the liberty to the accused/applicant.

10. Therefore, this application is allowed and it is directed that in the event of his arrest the accused/applicant shall be released on bail, subject to

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his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the IO/SHO concerned. Accompanying application stands disposed of.

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**GIRISH KATHPALIA
(JUDGE)**

APRIL 27, 2026/ry