

01.07.2026

Present: Sh. Abhishek Pandey, Ld. Addl. PP for the State.
Sh. Divyanshu Suman, Ld. counsel for the
accused/applicant.
Ld. counsel for the complainant, through VC.
IO ASI Yashveer Singh in person.

1. This is the bail application filed on behalf of the applicant/accused Shiva.

2. It is argued that TIP of applicant Shiva was successful as he was resident of same locality of complainant. Hence, they were known to each other. Further, he is not visible in any CCTV footage. Applicant has no criminal antecedents. He is only bread earner of his family. He has small daughter aged about 9 months, hence bail is prayed.

3. On the other hand, Ld. Addl. PP opposed the bail application.

4. I have heard both the sides and gone through the record.

5. The brief facts of the case are that complainant Shrikant who is doing LLB was going on car at 08.15 am to Tis Hazari Court from his house. When he reached on his car bearing no. 5257 gray colour near Nala Road, house no. 120 main road, a Punch Car came from back side and overtook his car from left side and stopped the Punch Car in front of his car. Complainant stopped his car. Then two persons got down from Punch Car who had pistol in their hand and one boy was sitting on the

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driving seat. Both the boys who had come out from the car fired at the complainant, resultantly he received bullet injuries while sitting on the driving seat. After firing at him, the Punch Car ran away, complainant could not note the number of the car. Then he went to his house where his brother who had taken him to GTB Hospital. Further, he identified both the accused as is mentioned in his complaint.

6. However, this incident was witnessed by one W/HC Saroj whose house is at the spot and who had seen this incident. She made PCR call at 08.34 am on 16.10.2025 that one car bearing DL14C 0130 arrived at the spot, two persons came out and starting firing at the other car. The car which was attacked has also went away from the spot. She mentioned car number also in her PCR call.

7. As per the case of prosecution, it was applicant Shiva alongwith co-accused Sonu Haryanavi who had come out of the car on the spot and fired at the complainant. Complainant had identified him in TIP. Further, it is argued of applicant that accused/applicant Shiva was known to the complainant as they belong to the same locality but this argument is denied by complainant who submitted that he did not know Shiva before the incident at all. Hence, it is the defence of accused which is to be proved in due course. Further, only because applicant Shiva was known to the complainant is not a reason sufficient enough to presume that he has been falsely implicated. No motive is imputed on the part of the complainant to falsely implicate the accused Shiva.

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8. The incident happened in board day light when complainant was stopped while driving his car and several rounds of bullets were fired at him. This shows that accused persons had no fear of law and order. The statement of complainant is yet to be recorded.

9. In the overall circumstances of the case, this Court is not inclined to grant bail, hence the same is hereby **dismissed**.

10. Application stands disposed off accordingly.

11. Copy of this order be given dasti.

(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
01.07.2026/nk