

**SC 79/2024**  
**STATE Vs. Vikash**  
**(bail application of Amit)**  
**FIR No. 3/2024**  
**PS New Usmanpur**

**01.04.2026**

Present: Sh. Abhishek Pandey, Ld. Addl. PP for the State.  
Sh. Krishna Kumar, Ld. Counsel for the applicant,  
through VC.  
Sh. Shivam Bedi, Ld. counsel for the applicant in  
person.

1. This is the bail application filed on behalf of the applicant Amit.

2. It is submitted by Ld. Counsel for the applicant that applicant Amit was not informed the grounds of arrest. Ld. Counsel places reliance of judgment i.e. Vihaan Kumar Vs. State of Haryana and Anr. (Special Leave Petition (Crl.) No. 13320 of 2024 dt. 07.02.2025. Further, applicant is a first time offender. Family members were not informed at the time of arrest. Further, applicant is a young boy of 23 years of age who was pursuing his study and his custody is not required any more.

3. It is further submitted that applicant is lying in JC since more than last two years and FSL result is still not received. Matter is getting delayed and accused cannot be kept in custody, hence bail is prayed on this ground. Also, Ld. Counsel places reliance on the judgment of Shri Sonal Jha @ Bengali Vs. The State NCT of Delhi, Bail application No. 4122/2025 dt. 26.11.2025.

4. Ld. Addl. PP has opposed the bail application.
5. I have heard both the sides and gone through the record.
6. In brief, the facts of the case are that applicant Amit alongwith co-accused had caused grievous injuries to complainant Himanshu and victim Prem with knife and stones and are facing trial u/s 307 IPC. Complainant Himanshu has already been examined before the Court as PW-2. It is specifically stated by PW2 Himanshu that applicant Amit stabbed Prem, rather Prem was stabbed several times.
7. PW-5 Prem has also been examined before the Court where he has supported the case of prosecution. PW-5 received knife blows on his face, thigh, hand and side of stomach besides injury with bricks. The rest examination of PW5 Prem is deferred for FSL result. Similarly, rest examination in chief of the PW2 Himanshu is also deferred for FSL result, however, they have supported the case of prosecution in their examination in chief. Further, there are other eye witnesses in this case who are yet to be examined. Further, as per FIR, statement of eye witness and site plan, the incident happened on a public road outside a hotel, this shows that accused persons had no fear of law and order. Applicant had no fear of any public persons, witnessing the incident. The victims are yet to be cross examined and other witnesses are yet to be examined. Further, perusal of MLC would show five different stab wounds on the person of Prem. Such type of incident create

fear in general in society.

8. Considering the manner of commission of crime on public road and the allegations and evidence against applicant, this Court is not inclined to grant bail.

9. As far as arguments that FSL result is not received, however the evidence is not stalled because of non-receipt of FSL result. The other witnesses are being examined.

10. It is also argued that reasons of arrest mentioned in arrest memo are not correct. Also, grounds of arrest were not supplied to applicant. However, this information cannot be assessed on the basis of arrest of memo only. It is mentioned in arrest memo that arrest of applicant was informed to his sister. Further, if any one from the family was present or if grounds of arrest were supplied, can be assessed only from the order sheet of Ld. JMFC who had taken applicant into custody but the same is not filed alongwith application.

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

12. Application stands disposed off accordingly.

13. Copy of this order be given dasti.

(Twinkle Wadhwa)  
ASJ-02(NE)/ KKD/Delhi  
01.04.2026/nk