

26.05.2026

ORDER

Vide this order, this Court shall dispose of applications u/s 483 BNSS moved on behalf of applicant/accused Sher Khan seeking regular bail and interim bail for a period of 4 weeks on medical grounds.

Reply to the present applications has already been filed by the IO. IO has further filed report regarding previous criminal involvement of the applicant/accused.

The medical status report dated 19.05.2026 of the applicant/accused received from Sr. Medical Officer – I/C, Jail Dispensary, CJ-01, Tihar, New Delhi through concerned Jail Superintendent is on record.

Submissions on the present applications heard and record perused.

So far as the interim bail is concerned, it is submitted by the Ld. Counsel for the applicant/accused that the applicant/accused is seeking interim bail for a period of four weeks as he had undergone hernia surgery and now he is facing medical issues as the surgery drain is not properly healed and is having puss around the same due to which the applicant/accused is facing breathing issues. It is further submitted that earlier also the applicant/accused was granted interim bail by this Court vide order dated 12.02.2026 and he did not misuse the liberty granted to him and had surrendered well in time as per direction of the Ld. Court. It is further submitted that the applicant/accused is

ready and willing to abide by all the terms & conditions to be imposed upon him while granting the interim bail.

So far as the regular bail is concerned, Ld. Counsel for the applicant/accused submits that the applicant/accused is innocent and has been falsely implicated in the present case. It is being further submitted that the applicant/accused is the sole bread earner of his family having wife, two minor children and widow mother. It is being further submitted that the present case/FIR is a counter blast to the writ petition filed by the mother of the applicant/accused against the police officials of PS Narela. It is being further submitted that the alleged weapon i.e. country made pistol has also been planted upon the applicant/accused. It is further submitted that it was the applicant/accused himself who got injured during the incident and whereas no injury was caused to any of the police officials. It is being further submitted that the chargesheet has already been filed in the present case. It is further submitted that the applicant/accused is in JC since 07.03.2025, excluding the period of interim bail, and it will take considerably long time to conclude the trial.

It is further submitted by the Ld. Counsel for the applicant/accused that no other similar bail applications are pending consideration before any Superior Courts or any other Court.

Ld. Addl. PP for the State has strongly opposed the present applications and has prayed for their dismissal contending that the allegations against the applicant/accused are grave and serious in nature i.e. threatening and firing upon the police party when they were performing their official duties. It is

further contended that the applicant/accused had earlier obtained interim bail by this Court vide order dated 12.02.2026 but his application seeking extension of aforesaid interim bail was dismissed by this Court vide order dated 12.03.2026. It is further contended that as per the report filed by the IO, the applicant/accused is found involved in 36 other criminal cases including cases of Arms Act, attempt to murder, robbery, theft etc. and there are chances of his influencing and delaying the trial if he is enlarged on bail, either interim or regular.

I have heard Ld. Counsel for the applicant/accused, Ld. Addl. PP for the State and have perused the record.

As per the medical status report dated 19.05.2026 of the applicant/accused received from Sr. Medical Officer – I/C, Jail Dispensary, CJ-01, Tihar, New Delhi, the present general condition of the applicant/accused is stable and that he is being provided appropriate medical support through Jail Dispensary. In view of the said medical status report, no grounds to grant interim bail to the applicant/accused are made out. The application seeking interim bail is accordingly dismissed. However, the concerned Jail Superintendent is directed to provide suitable medical aid to the applicant/accused as per the jail manual and its medical referral policy for the jail inmates.

As regards the regular bail application, perusal of record reveals that the chargesheet for the offence u/s 221/132/109(1)/351 BNS and u/s 25 Arms Act has been filed against the accused in this case. The allegations against the applicant/accused are serious and grave in nature i.e. firing on police officials on duty. The applicant/accused is also found

involved in multiple criminal cases. Charges are yet to be framed and material witnesses are to be examined. Considering the overall facts and circumstances of the case, nature and gravity of offence and his criminal antecedents, no ground is made out to grant regular bail to the applicant/accused, at this stage. **The application seeking regular bail is dismissed.**

It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.

Copy of this order be given dasti to the Ld. Counsel for the accused and to the IO and be also sent to Jail Superintendent concerned and DLSA North, Rohini, Delhi for information.

The present applications accordingly stand dismissed and the same be tagged with the main file.

(PREM KUMAR BARTHWAL)
Principal District & Sessions Judge
North District/Rohini Courts/Delhi
26.05.2026 (dv)