

21.08.2025

Present: Ms. Geeta Bansiwala, Ld. Addl. PP for the State.  
Sh. Pradeep Rana and Sh. Abhishek Rana, Ld.  
Counsel for applicant/ accused.

1. As per Ld. Counsel this is the application u/s 483 BNSS for granting regular bail, moved on behalf of applicant/ accused Harsh @ Rishi.

2. Reply to the application filed by the IO.

3. The present bail application has been moved on the ground that the other accused persons are already on bail. It is further submitted by the Ld. Counsel for applicant/ accused that the police case was initiated on the false submissions of Sh. Ramji Lal. It is further submitted that the two accused persons were given bail on the ground of alibi. It is further submitted that even the MLC of the deceased does not co-relate that the alleged injury attributed to the present applicant/ accused. It is further submitted that at present specific ground of non compliance of sections 50 Cr.P.C is taken. It is submitted that no grounds of reason were given to the present applicant/ accused. It is further submitted that as per the judgment *(a) Prabir Purkayastha Vs. State (GNCT) of Delhi, passed by Supreme Court of India, 2024 INSC 414, (b) Vikas Chawla @ Vicky Vs. State NCT of Delhi, High Court of Delhi, 2025:DHC:2040, (c) Pranav Kuckreja Vs. State (GNCT) of Delhi, W.P. CrI. 3476 of 2024, High Court of*

*Delhi, (d) Gagan Vs. State NCT of Delhi, High Court of Delhi, 2025:DHC:1402 & (d) Mohd Saleem Khan Vs. State NCT of Delhi, High Court of Delhi, 2021:DHC:3040.*

4. Grounds of arrest are mandatory to be given to the applicant/ accused. It is further submitted that this is a legal requirement, hence the same can be raised at any time despite the fact that this ground was not taken on earlier occasions.

5. Per contra, it is argued by the Ld. Addl PP for the State that the bail of the present applicant/ accused was dismissed on 22.01.2025. It is further submitted that no fresh ground has been stated by the applicant/ accused for ground of bail. It is further submitted that the non supply of grounds of arrest is immaterial as the applicant/ accused was fully aware about the offence. It is further submitted that the applicant is facing murder trial, hence, no bail be granted.

6. Heard. Perused.

7. During the arguments, Ld. Counsel for the applicant/ accused stated that he is mainly seeking the bail on the ground of non supply of grounds of arrest to the present applicant/ accused. The present applicant/ accused is facing murder trial. The other persons were granted bail on the ground of alibi but the presence of this applicant/ accused is stated to be on the spot and considering the latest ratio decided in the judgment titled as State of Karnataka Vs. Shri Darshan etc., SLP Cr. Appeal no. 3528-3524 of 2025, dated 14.08.2025, where it is upheld that merely

non supplying of grounds of arrest cannot be considered for granting of bail without considering the other material circumstances, especially in heinous offences wherein it is also upheld that the accused is required to show prejudice known to him for non supplying of grounds of arrest especially in those cases where the accused is properly represented by the Counsels and his bail application also moved.

8. Therefore, considering the ratio of the above judgment and considering overall circumstances and the nature of allegations and the possibility of threat to the witnesses, no ground is made out for granting bail.

9. In view of the recommendations of Rules Committee under Section 523 of BNSS, 2023 with respect to the practice directions issued by Hon'ble Supreme Court of India in Writ Petition no. W.P.(C) 1082/2022 Suhash Chakma Vs. Union of India & Ors., the applicant can avail the free legal aid facility from District Legal Services Authority (North-West) at Room No. 405, 4<sup>th</sup> Floor, District Court Rohini, Delhi-110085. Applicant may contact the authority on phone number 011-27555536 or through mail at e-mail ID [northwest-dlsa@nic.in](mailto:northwest-dlsa@nic.in).

10. Copy of this order be also sent to Jail Superintendent to inform the applicant/accused of his rights.

11. Accordingly, the present application is disposed of.

**(SHIVAJI ANAND)**  
**ASJ-02/Spl. Judge (NDPS)**  
**North-West, Rohini Courts, Delhi/20.08.2025/3/3**