

CNR No. DLSE01-003800-2026
Bail Matter 844/2026
FIR No. 213/2023
PS BADARPUR
U/S. 308 IPC
STATE Vs. SANDEEP

13.08.2026

The present application filed U/s. 483 BNSS on behalf of applicant/accused for grant of bail received by transfer in pursuance of order dated 07/08/2026 of Ld. Special Judge (NDPS), South-East District, Saket Courts. It be checked.

Present: Mr. Zuned Khan, Ld. Addl. PP for the State.
Mr. Irshad Mohammad and Mr. Rajeev Kumar, Ld.
Counsels for the accused.

Arguments already heard led by Ld. Counsel for the applicant/accused.

ORDER ON BAIL

The present order shall dispose of 6th bail application of applicant/accused Sandeep Kumar.

Facts of the case:

1. The present FIR is lodged against accused Sandeep Kumar upon the complaint of complainant Smt. Meena Devi, who is wife of accused Sandeep Kumar. It is averred by complainant in her complaint that on 29/06/2023 one of their relative namely Vipin @ Vishnu came to their house and stayed back during the night time, when her husband/accused Sandeep

Kumar at about 02:00AM started giving beatings to Vipin @ Vishnu with an iron Tawa and threatened to kill him.

Investigation

2. During the course of investigation, it was found that accused Sandeep Kumar was having apprehensions of extra marital affair of his wife with injured Vipin @ Vishnu. Further, as per medical report, the nature of injury received upon the person of injured Vipin @ Vishnu was grievous in nature and it was further informed that the injured went into coma pursuant to the injuries caused by the applicant/accused.

Proceedings during trial

3. Perusal of record reveals that Hon'ble High Court of Delhi vide order dated 11.08.2025, while dismissing the bail application of applicant/accused Sandeep Kumar ordered that the applicant shall be at liberty to file bail application afresh, if trial does not conclude within period of six months.

4. Perusal of record reveals that since thereafter, five witnesses have been examined. Further, examination of injured Vipin @ Vishnu could not be recorded, since as per the order dated 01.06.2026, the victim states that he is unable to speak due to physical disability. Victim further filed an application for calling an expert interpreter for recording of his evidence. The said application is still pending for disposal.

5. Further as per the record, one public witness namely Karan Singh and the complainant Meena Devi are already

examined. Both of the said witnesses, during the course of their evidence, did not support the case of prosecution with respect to the offence being committed by accused Sandeep Kumar.

Arguments on behalf of applicant/accused:

6. Ld. Counsel for applicant/accused argued that the applicant/accused has been in judicial custody for around 03 years i.e. since 21/08/2023. Ld. Counsel for applicant/accused further stated that the mental health of applicant/accused is also adversely affected because of long custody period. It is further stated that only injured/victim Vipin and IO SI Amit Kumar remain to be examined and completion of trial will take more time to complete. Ld. Counsel for applicant/accused submitted that the applicant/accused shall not misuse the liberty if granted bail. It is further argued that the applicant/accused has no previous criminal antecedents.

Arguments of Ld. Addl. PP for State:

7. Ld. Addl. PP for the State, on the other hand, opposed the bail application stating that the offence committed by applicant/accused is grave in nature. It is further argued that, indeed, the complainant did not support the prosecution case. It is further argued that the victim Vipin @ Vishnu is yet to be examined due to injuries caused by applicant/accused. It is further argued that the bail of applicant/accused may be considered after examination of injured/victim.

Observation:

8. In view of the discussion made above, considering the fact that:-

- a) That the investigation of the present case is already completed and charge-sheet is filed;
- b) That the complainant as well as another public witness did not supported the case of prosecution with respect to identity of accused;
- c) That accused is already languishing in jail from last three years and has completed more than 1/3 period of total punishment;
- d) That the accused is not involved in any other matter;
- e) That the testimony of victim shall take time, since he is unable to speak and has moved an application for appointment for interpreter;
- f) That accused is not required for further custodial interrogation;

Accordingly, the bail application of applicant/accused Sandeep Kumar is admitted to bail subject to furnishing bail bond in the sum of Rs.50,000/- with one surety of like amount, subject to following conditions:

- a) That the accused shall appear for trial on each and every date and shall not seek exemption;
- b) That the accused shall in no manner try to approach or contact the victim Vipin;
- c) That the accused shall not be involved in other criminal case;
- d) That the accused shall maintain good and peaceful behaviour;
- e) That the accused shall mark his presence before

SHO once every Saturday during day time;

f) That the accused shall inform his current address as well as mobile number and duly placed the same in Court record as well as intimate the same to IO.

It is clarified that non compliance of above said condition shall be considered as a ground for cancellation of bail.

The application is disposed of accordingly.

Copy of this order be sent to concerned Jail Superintendent, for information.

Copy of this order be given dasti to Ld. Counsel for applicant/accused.

(ANUBHAV JAIN)
ASJ-04, South-East District
Saket Courts, New Delhi:13.08.2026