

**IN THE COURT OF SH MUNISH BANSAL, ASJ-04
(SHAHDARA), KARKARDOOMA COURTS, DELHI**

CNR No. DLSH01-001055-2025

SC No. 61/2025, IA No. 09/2026

STATE VS. Sachin Sharma

FIR No. 378/2024

PS: Jyoti Nagar

U/s 103(1)/109(1)117/126(2)/3(5) BNS

& 25/27 Arms Act

11.08.2026

File is taken up on an application moved under Section 483 of BNSS for grant of regular bail moved on behalf of applicant/accused namely Sachin Sharma.

Present: Sh. Murari Singh, Ld. substitute Addl. PP for the State.
Sh. Ankit Sharma and Sh. Chaitanya, Ld. Counsels for the applicant/accused (through VC).

1. By way of this Order, this Court shall decide the 4th bail application of the applicant/accused Sachin Sharma seeking bail.

2. As per the complaint/FIR, the case of the Prosecution is that on 01/09/24, at about 10 PM, complainant and his friends Anuj, Sanjeev @ Kale and Sanjeet were celebrating Sanjeev Kale's birthday in the parking lot of Sanjeev @ Kale; that Sanjeev Kale being intoxicated, told that accused Dheeraj Sharma asks for extortion money (*hafta*) from him, therefore, they made a plan to teach accused Dheeraj Sharma a lesson and at around 12:05 AM, complainant and Anuj went to search for Dheeraj Sharma on his motorcycle; that accused persons Vivek @ Bhuri, Dheeraj Sharma, Sachin Sharma (applicant/accused), Divesh and Aili (Transgender) were standing in the lane of B-Block Colony and on seeing the

complainant Soni and his friend, accused persons suddenly attacked them; that accused Dheeraj Sharma was saying that “*yeh bhi Sanjeev @ Kale ka dost hai, unko bhi aaj sabak sikhayenge*”; accused Vivek @ Bhuri attacked the complainant with a hammer with an intention of killing him, but he escaped; that hammer had hit his motorcycle no. DL-5S-BL-7830 and accused Dheeraj Sharma attacked him with a *laathi* (stick); that accused persons Divesh and Aili were saying that “*inko padko jo aaj bachkar nhi jaane chahiye*”; that the complainant and Anuj started going back with the motorcycle, accused Sachin Sharma(applicant/accused) started hitting them with punches.

Thereafter, they came back and told this to Sanjeev @ Kale and Sanjeet; Sanjeev @ Kale in order to teach accused Dheeraj a lesson, started going to Jyoti Nagar Police Station with his friends to lodge a complaint against Dheeraj and his companions and when they reached at Mangal Bazaar Road, Amar Colony, accused persons namely Vivek @ Bhuri, Dheeraj Sharma, Divesh, Ashwani and Aili were coming from the front and on seeing them with sticks and hammer in their hands, complainant’s companions ran back in fear, however, accused Divesh, Ashwani and Aili caught him; that accused Aili was saying that “*pichli baar to yeh bach gya tha, aaj hum isko jaan se maar denge*”; that accused Vivek @ Bhuri had a pistol in his hand and accused Dheeraj Sharma was having a country-made pistol in his hand; firstly, accused persons namely Divesh and Ashwani attacked the complainant Soni with sticks and then accused persons namely Vivek @ Bhuri, Divesh, Dheeraj Sharma and Ashwani dragged him to the Shiv Mandir; that accused persons namely Vivek @ Bhuri and Dheeraj Sharma attacked the complainant with sticks with an intention of killing him and thinking him to be half dead,

threw him in the drain; that in the drain also, accused persons namely Dheeraj Sharma and Vivek @ Bhuri attacked the complainant repeatedly and during this time, Aili said that “*abhi yeh jinda hai, isko naali se bahar nikaal kar aur maarpeet karo*”; that accused Ashwani and Vivek @ Bhuri took him out of that drain and accused Dheeraj Sharma repeatedly attacked him with sticks (*laathi se anginat vaar kar diye*) and also hit in his anus with the *laathi* (stick) repeatedly and left him at the spot in an unconscious state thinking him to be dead; that when the complainant gained consciousness, he found himself admitted in GTB hospital.

Thereafter, complainant/victim Soni during the course of his treatment in GTB Hospital succumbed to injuries and eventually died on 03.09.2024.

3. It is submitted by Ld. Counsel for the applicant/accused that applicant/accused has been falsely implicated in the present case; that the applicant/accused is in JC since 02.09.2024; that the investigation of the present case is complete, chargesheet has already been filed, therefore, no purpose would be served by keeping the applicant/accused behind bars. It is further stated that two bail applications of the applicant/accused were withdrawn on 27.03.2025 and 19.09.2025 with the liberty to file the same afresh, however, another application of the applicant/accused was dismissed vide order dated 28.10.2025.

4. Ld. Counsel for the applicant/accused has argued that the applicant/accused has no role in the present incident and he has not participated in the alleged incident resulting into death of the complainant/deceased. It is further stated that co-accused Arun

Joshiya @ Aili has already been admitted on bail by this Court on 03.05.2026 and it is prayed that the applicant/accused be also released on bail, he is ready to abide by all the terms and conditions, if any, imposed by this Court and also undertakes that he shall not influence/cause any threat to the witnesses of the present case and shall not tamper any of the evidence. The applicant/accused is also ready to furnish reliable surety to the satisfaction of the Hon'ble Court.

5. Per-contra, Ld. substitute Addl. PP for the State has vehemently opposed the bail application stating that allegations against the accused/ applicant are quite grave in nature; as per the case of the Prosecution, the applicant/accused and the other co-accused persons, in furtherance of their common intention brutally murdered the complainant/victim. It is submitted that applicant/accused has been clearly named in the present case FIR and can also be seen in the CCTV footage of the incident attacking the complainant/deceased with a *danda*. It is further submitted by the Ld. Addl. PP that earlier bail application of the applicant/accused was dismissed vide detailed order dated 28.10.2025 passed by this Court and there is no substantial change in circumstances after dismissal of the said bail application, therefore, the present application is also liable to be dismissed. Further, there is also no parity of the applicant/accused with the co-accused Arun Joshiya @ Aili who has been granted bail by this Court, since, she has been granted bail only on the basis of her medical condition and not on the merits.

6. This Court has heard the arguments on this application and has also perused the available record.

7. As per the case of the prosecution, accused persons firstly threatened the victims and then, with an intention of killing the complainant/deceased Soni and his friends, had brutally attacked them.

8. The allegations against the applicant/accused are grave in nature. PMR of the deceased Soni reveals that he had suffered as many as 38 antemortem injuries and cause of his death has been opined as shock as a result of blunt force trauma to the abdomen and all injuries were antemortem in nature and produced by blunt force impact. The MLC of co-victim Anuj Kumar also reveals nature of injuries as 'grievous'.

9. It is stated that the name of the applicant/accused Sachin Sharma is specifically mentioned by the complainant/deceased Soni in his complaint/statement, which culminated into the present FIR and the applicant/accused is also stated to be visible in the CCTV footage of the incident attacking the deceased/victim with a *danda*.

10. The contention of the applicant/accused that applicant/accused had not participated in the incident resulting into death of the complainant/deceased Soni is disputed question of facts and can be conclusively decided only after trial. As per the facts alleged in the FIR, the accused/applicant was not present during the incident of second attack which resulted into the death of the complainant/deceased Soni, but it is the case of the Prosecution that the said subsequent second attack was made in continuity and in furtherance of the first attack and thus both the

attacks are sufficiently connected with each other in terms of motive and time. It is well settled principle of law that at the stage of determining the question of bail, minute/ detailed evaluation of the facts and appreciation of evidence on merits, is not to be done.

11. Further, the applicant/accused cannot claim parity with the co-accused Arun Joshiya @ Aili who has been granted bail by this Court since, accused Arun Joshiya @ Aili has been granted bail only taking into consideration her medical ailments.

12. Trial of the case is at a nascent stage and all the witnesses including the eye-witnesses of the case are yet to be examined. Possibility of the threatening, influencing or inducing the witnesses or applicant/accused fleeing away, cannot be ruled at this stage.

13. It is also stated that earlier a bail application of the applicant/accused was also dismissed on merits on 28.10.2025 after filing of the chargesheet and the Ld. Counsel for the applicant/accused has failed to point out any substantial change in circumstances after dismissal of the said bail application. The law regarding filing successive bail applications is well-settled and it is no longer *res integra* that when successive applications are filed, there must be a significant development in the case (***Reference: Christian James Michel Vs. Central Bureau of Investigation dated 25.09.2024 passed by Hon'ble High Court of Delhi***).

14. Considering the facts and circumstances, gravity of offences coupled with above stated reasons and no change in circumstance since dismissal of earlier bail application dated

28.10.2025, this Court does not deem it a fit case to grant bail to the accused/ applicant Sachin Sharma, at this stage. Therefore, the present bail application stands, dismissed.

15. *Nothing expressed hereinabove, shall tantamount to any opinion on the merits of this case.*

16. In compliance of directions of Hon'ble Supreme Court of India in case titled '*In Re: Policy Strategy for Grant of Bail*', *Writ Petition (Crl.) No. 04/2021 dated 31.01.2023*, e-copy of this order be sent to applicant via e-mail through concerned Jail Superintendent for information.

17. Copy of the order be given dasti to Ld. Counsel for applicant/ accused and to the I.O, as per rules. Bail application stands disposed of.

(MUNISH BANSAL)
ASJ-04/Shahdara/KKD Courts,
Delhi/11.08.2026