

Item No. 8
IA No.17/2026 in SC No.48/2019
FIR No. 934/2018
PS: Uttam Nagar
State Vs. Ankit Bhardwaj & Ors.

18.03.2026

Present: Sh. V.K. Swami, Ld. Addl. PP for the State.
Sh. Avnish Rana and Ms. Poonam Rana, counsels
for the accused Karan Arora.
IO/SI Ramniwas, PS Uttam Nagar in person.

Ld. APP for the State and counsel for the accused Karan Arora addressed arguments on the application for bail moved by the accused Karan Arora.

Heard.

To come up for order at 3:00 PM today.

(PANKAJ GUPTA)
Principal District & Sessions Judge
South-West, Dwarka Courts
New Delhi/18.03.2026

It is 3:00 PM:

Present: None.

By this order, I shall dispose of the bail application moved by the accused Karan Arora.

I have heard Ld. APP for the State and counsel for the accused Karan Arora and have perused the material available on record.

At the outset, it is mentioned that initially, the applicant along with other co accused moved an application for bail which was disposed of as not pressed on 29.02.2024. Thereafter, the applicant moved another bail application which was also disposed of as not pressed on 30.03.2024. Later, the applicant moved another application on 18.04.2024 and the same was dismissed on merit by the Ld. Predecessor of this court on 19.04.2024. Later on, the applicant moved Bail Application No.4544/2025 before the Hon'ble Delhi High Court and vide order dated 29.01.2026, the same was dismissed as withdrawn with liberty to file fresh application after testimony of the eye witnesses which were to re-examined upon re-arrest of the accused Dev Chopra. Hence, the present application.

Counsel for the accused pleaded that the applicant is in JC since 2018. The eye witnesses PW5 to PW8 have been examined not once but twice. There is contradiction and improvements in the testimonies of the eye witnesses as to the incident as well as the involvement of the applicant. He also pleaded that the subject FIR was lodged on the basis of the complaint lodged by the wife of the deceased (PW5). However, PW5 in her testimony has improved her statement and mentioned that the incident took place at around 12:30 AM while she in her testimony stated that PW5 stated that it had taken place at around 11:30 PM. He also pleaded that there exists contradiction in the testimony of PW5 and PW8 as to the person who accompanied the deceased to the hospital. He also pleaded that the prosecution has delayed the trial of the case. He also pleaded that in past, the applicant was granted interim bail and has not violated the terms

and conditions of the same. Hence, he prayed that the application may be allowed.

On the other hand, Ld. APP for the State pleaded that PW5 to PW8 are the material/public witnesses in the present case. The testimony of the said witnesses and effect of the contradiction and improvement, if any, in their testimonies is to be appreciated at the appropriate stage but not at this stage. He also pleaded that the said witnesses have supported the prosecution case in the material particulars. He also pleaded that the postmortem report of the deceased substantiates the case of the prosecution that the injuries inflicted by the accused on the body of the deceased were sufficient to cause his death. He also pleaded that the delay in the trial cannot be attributed to the prosecution rather the accused themselves are responsible for the same. He specifically pleaded that during the trial, the accused Dev Chopra absconded and was declared Proclaimed Offender (PO) and was re-arrested. Therefore, PW5 to PW8 who had already been examined had to be examined by the accused Dev Chopra. Hence, he prayed that the application may be dismissed.

It is the specific case of the prosecution that the applicant alongwith other co-accused committed the murder of the deceased namely Vijender Rana and also inflicted stab injury on the chest of brother of the deceased namely Rajesh Rana.

In the present case, PW5 (wife of the deceased), PW6 (son of the deceased), PW7 and PW8 (niece of the deceased) are the eye witnesses. Firstly, the said witnesses were examined and cross-examined at length by counsel for the accused except accused Dev Chopra who remained absconded and was declared PO. Subsequently, the accused Dev Chopra was

re-arrested and consequently, PW5 to PW8 were further examined-in-chief and cross-examined at length by counsel for the accused Dev Chopra. The said witnesses in their testimony specifically deposed about the role of the accused persons in the subject incident. This is not the appropriate stage to appreciate the effect of the improvements and contradiction in the testimony of the said witnesses.

Counsel for the accused also pleaded that since the applicant was granted interim bail on the previous occasion and had not violated the terms and conditions of the same, hence, he may be granted regular bail. The parameters to grant the interim bail and the regular bail to an accused are different. As such, the said plea is of no consequence.

Counsel for the accused also pleaded that the applicant is in custody since the year 2018 and the matter has been delayed at the instance of the prosecution. Hence, the accused may be released on bail.

Perusal of the record reveals that on 19.10.2021, accused Dev Chopra failed to appear and therefore, NBW was issued against him. However, the said accused failed to appear. Consequently, following due process of law, the accused Dev Chopra was declared "Proclaimed Offender" (PO) on 11.10.2022. On 03.05.2024, upon production of the kalandara u/s 41.1 (C) Cr.P.C, the accused Dev Chopra was produced before the court and was sent to JC. Thereafter, PW5 to PW8 who had already been examined in the year 2023, were examined by counsel for the accused Dev Chopra in February and March, 2026. As such, the delay, if any, in the present case is not attributable to the prosecution. Further, keeping in view the age

of the matter and that the accused are in JC, this court has taken all measures to expedite the proceedings. Not the least, in law, each case is to be decided of its own circumstances. Therefore, there is no substance in the plea raised by counsel for the applicant.

Keeping in view the material available on record and foregoing discussion, I am of the opinion that the specific and serious allegations have been made against the applicant. The offence committed is grave in nature.

Further, as per record, PW5 to PW8 were examined by counsel for the applicant between 19.07.2023 and 18.11.2023 and thereafter, as discussed above, he moved 04 bail applications on behalf of the applicant out of which 03 were disposed of as not pressed and one was dismissed on merit on 19.04.2024 wherein he raised almost same pleas as raised in the present application. No change of the circumstance has been shown by the applicant except that he remained in custody for some more time. Accordingly, I am of the opinion that no ground for grant of bail is made. Hence, the application is dismissed.

Copy of this order be given dasti to counsel for the applicant, as prayed.

Copy of this order be also sent to Supdt., Tihar Jail for information and necessary compliance.

(PANKAJ GUPTA)
Principal District & Sessions Judge
South-West, Dwarka Courts
New Delhi/18.03.2026