

Bail Appl. No. 457/2026

FIR No.417/2025

PS Patel Nagar

State Vs. Vikas Singh & Ors.(Appl. **Krish**)

u/s 115(2)/351(2)/333/110/3(5) BNS

30.03.2026

Present : Sh. Prashant Chaudhary, Ld.Addl. PP for the
State (Subst.)

Sh. A.K.Sharma, Ld. Counsel for the
applicant/accused through VC.

1. By virtue of this order, this is an application u/s 483 BNS on behalf of applicant/accused **Krish S/o Govind Sharma** seeking regular bail, shall be disposed of.
2. Reply to the bail application was filed, by virtue of which, the said application has been strongly opposed.
3. Ld. Counsel for applicant/accused has submitted that the present bail application pertains to a case where he has been falsely implicated as one of his friends called him for help as there was a scuffle between the complainant and other accused and the applicant only tried to withdraw the said fight, however, he got implicated on the behest of the complainant; that he has been languishing in JC since 06.02.2026 and no purpose would be served by keeping applicant/accused in further custody as the investigation qua him has been completed; that the applicant/accused comes from the poor strata of society and his presence is required as he his the sole bread earner of his family; that there is no previous involvement of the accused and in case, bail is granted to him, then he will neither abscond nor misuse the liberty of bail nor will tamper with the prosecution evidence in any manner whatsoever. Thus, it is prayed that applicant/accused may be released on regular bail in the interest of justice.
4. Per contra, Ld. Addl. PP for the State has, first of all, opposed this application by referring to the serious nature of allegations against the applicant/accused; that despite being in

custody, there has been an attempt to tamper of evidence as the one of co-accused's father visited the complainant in order to influence him, which cannot be ignored at this stage; that chargesheet has been filed, however the trial is yet to commence; that the applicant/accused can be seen in the CCTV footage giving assaulting/beating to the complainant and also the CDR shows the presence of applicant at the place of incident. Thus, a prayer for dismissal of the bail application has been made.

5. Arguments heard on behalf of both sides. Record perused.

6. It is the case of the prosecution that the present FIR was registered on the statement of complainant Anuj Malhotra s/o Deepak Kumar. On 07.10.2025, a PCR call regarding a quarrel and assault was received at House No. 23/5-A, East Patel Nagar. Upon reaching the spot, it was revealed that 7–8 boys entered the complainant's shop armed with baseball bats and assaulted the complainant and his father, allegedly at the instance of Bittu Ghai and Jassi Ghai. CCTV footage corroborated the incident. The complainant sustained head injuries and was shifted to SVBP Hospital, where his MLC was prepared showing a superficial lacerated wound requiring three stitches, opined as simple in nature. Site inspection was conducted, photographs of the scene of crime were taken, and after verification of facts, the case was registered at PS Patel Nagar under appropriate sections of IPC and investigation commenced. During investigation, Bittu Ghai and Jassi Ghai were interrogated, however no incriminating material sufficient for their arrest has surfaced till date. Several other accused persons are absconding. As per disclosure statements, the main accused is Paras, who could not be traced and was later found to be arrested in FIR No. 296/25 under Sections 21(c)/25/29 NDPS

Act by ANTF, Punjab, and is presently lodged in Amritsar Jail; a production warrant was issued but he was not produced.

7. At the outset, the allegations are serious in nature whereby the applicant/accused a/w co-accused persons in furtherance of their common intention are stated to have trespassed into the house/shop of complainant and thereupon, gave severe beatings to the complainant as well as his father and also criminally intimidated them. As far as the specific role attributed to the applicant/accused is concerned, he is stated to have physically assaulted the complainant and his father. Although, the alleged incident has been captured on CCTV footage, wherein the applicant/accused could be seen assaulting them, but this court can't lose sight of the fact that investigation is otherwise complete and supplementary charge-sheet has been filed. Moreover, even if the allegations are presumed to be correct on the face of it at this stage, then too, the same are a matter of trial and veracity of the same can be ascertained only upon evidence being led.

Further, applicant/accused is stated to be having no criminal background and in addition to this, he is ready to furnish a sound surety. Also, applicant/accused has already remained in custody since 06.02.2026 i.e. around two months now, therefore, considering this fact as well as the fact that charge-sheet has been recently filed and trial will take a long time to culminate, no purpose would be served by keeping the applicant/accused in further custody. Regarding the contention on behalf of prosecution that other accused persons are yet to be apprehended, it may well be stated that the said fact doesn't have any bearing on the application in hand. Last but not the least, apprehension, if any on behalf of prosecution, may be allayed by imposing strict conditions.

8. In view of above discussion, applicant/accused ***Kirsh Sharma S/o Govind Sharma*** is admitted to bail on furnishing bail bond in the sum of Rs.30,000/- with one surety of like amount to the satisfaction of Ld. JMFC concerned/Duty Ld. JMFC subject to the following conditions:

1. that applicant shall appear before the concerned court on each and every date of hearing without fail.

2. that applicant or anyone on his behalf shall neither contact the prosecution witnesses nor threaten/influence them in any manner whatsoever nor tamper with the evidence of the present case.

3. that accused/surety shall provide permanent address as well as phone number to the IO and shall intimate this court as well as to IO, by way of an affidavit, regarding change of their residential address, if any.

4. that applicant shall not commit any similar offence.

9. It is clarified that in case the applicant is found violating any of the above conditions, then the same shall be a ground for cancellation of bail.

10. Nothing stated hereinabove shall tantamount to the expression of any opinion on the merits of the case.

Application is disposed of accordingly.

VINEET KUMAR
ASJ-02/ THC/West/Delhi
30.03.2026