

Bail Matters 506/2026
STATE Vs. SUNDER LAL
FIR no. 248/2025
u/s 105/110/126(2)/127(2)/3(5) BNS
PS Anand Parbat

01.04.2026

Pr: Sh. Subhash Chauhan, Ld. Chief PP for the State.
Sh. Ankur Aggarwal, Ld. Counsel for the applicant/
accused.
IO Insp. Aadesh Kumar in person with case file.

File perused. Heard.

This is an application u/s 483 of BNSS filed on behalf of
the applicant/accused Sunder Lal for grant of bail.

Reply filed on behalf of the IO. Copy supplied. Arguments
heard. Case file gone through.

By way of the present application, it is submitted by Ld.
Counsel that the applicant/accused is innocent and has been
falsely implicated in the present case. It is further submitted that
the applicant himself has surrendered before the Ld. Magistrate
on 13.02.2026 and since then he is in custody. It is contended that
the applicant/accused has nothing to do with the alleged offence
and nothing incriminating was recovered or came on record
against him in the present case. It is further submitted that name
of the application was neither mentioned in the alleged PCR call
nor was given in the statement by the complainant on the day of
incident i.e. 20.04.2025. It is further submitted that victim went

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to RML Hospital on 20.04.25 itself and the name of the applicant was also not disclosed by him during his statement in the MLC. It is further submitted that on 21.04.2025, victim was discharged from the hospital, but neither he nor his family members made any complaint against the applicant. It is further submitted that there is delay of 7 days in lodging the present FIR and contended that the present case is counter blast to another case bearing FIR no. 247/2025 PS Anand Parbat, which was lodged against the victim of the present case. Ld. Counsel contends that the present case is lodged later on in order to bring pressure upon the accused/applicant. It is further submitted that there is no CCTV footage or video of the alleged incident on record to show that the applicant is involved in the present case. It is further submitted that around 11 months have already been lapsed after the alleged incident and no incriminating evidence has come on record against the applicant. It is further submitted that the further custodial interrogation of the applicant is not required in any manner. Ld. Counsel further submitted that the applicant/accused is heart patient and further custody in JC will seriously impact his health. With these submissions, prayer is made for grant of bail.

On the other hand, Ld. Chief PP for the state has strongly opposed the present bail application of the accused on the ground

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that the allegations against the accused are serious in nature and prays for its dismissal.

In the present case, allegations against the accused are 105/110/126(2)/127(2)/3(5) BNS. Brief facts of the case are that on 20.04.2025 applicant along with co-accused persons have given severe beatings to the victim and a PCR call was made accordingly vide DD no. 28A dated 20.04.2025. Upon this, the police officials reached at the spot, where they came to know that the injured has already been shifted to the hospital. Thereafter, they reached at the hospital & collected the MLC of the victim. However, neither the victim nor his family member gave any complaint. Hence, the call was kept pending by the police.

On 26.04.2025 again an information was received by the police that victim is again admitted in the hospital. Accordingly, IO again visited to the hospital to record the statement of the victim. But the victim was not fit for recording of his statement, due to his medical condition. Thereafter, on 27.04.2025, the present FIR is lodged on the basis of statement of the complainant (sister of the victim). It is relevant to mention here that during his treatment, the victim expired on 28.04.2025. As per the postmortem report, the death of the victim was caused due to septic shock as consequent upon polytrauma involving trunk & limbs. The report further reveals that all the injuries i.e. injury no. 1 to 24, upon the body of victim were ante-mortem in

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origin and were of about one week in duration and could have been caused by assault by hard & blunt objects. The report further reveals that the injuries i.e. no. 1 to no. 6, no. 9 to no. 14 and no. 19 to no. 24 are fatal in the ordinary course of nature.

Admittedly, the accused has surrendered himself before the concerned court and was arrested on 13.02.2026. Further, the reply of the IO also reveals that the accused was not cooperated in the investigation and has not disclosed the parentage/address of the other co-accused persons namely Rahul @ Gullu and Tanveer. On behalf of accused/applicant, a contention is raised that there is delay of seven days in the registration of the present case. Another contention is raised on behalf of the accused is that the present case is counter blast to FIR no. 247/2025, PS Anand Parbat. Upon inquiry, IO explains that the another case no. 247/2025 is pertaining to the offence u/s 74/75(2)/78(2)/391(3) BNS and 8/12 POCSO Act. Admittedly, the incident of the another FIR i.e. 247/2025 PS Anand Parbat is also of the same day of the present incident i.e. 20.04.2025. However, no reasonable explanation is given on behalf of accused/applicant as to why no complaint was made regarding the incident on the date of incident itself i.e. 20.04.2025 or as to why the police complaint of FIR no. 247/2025 was lodged only after admission of the victim of present case in the hospital upon worsening of

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his medical condition. Hence, the alleged delay in lodging the present FIR is of no assistance to the applicant at this stage.

The allegations against the applicant/accused are grave and serious in nature & attracts severe punishment. Investigation of the case is under progress and two other accused persons are yet to be arrested. Considering the facts of the case and keeping in view the submissions, there are apprehension that in case applicant/ accused is enlarged on bail, there are every chances of his fleeing from course of justice, tamper evidence or may commit the similar offence again. Hence, considering the facts of the case and seriousness of the allegations against the applicant/accused, no ground is made out for grant of regular bail to the accused, at this stage. Hence, the present application is dismissed.

Nothing stated hereinabove shall tantamount to be an expression of final opinion on the merits of the case. With above observations, application stands disposed off accordingly.

Copy of the order be given dasti, as prayed for.

Copy of the order be also sent to the concerned Jail Superintendent.

(SATVIR SINGH LAMBA)
ASJ/SPECIAL JUDGE (NDPS),
WEST DISTRICT, DELHI/01.04.2026