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SC 82/2026
STATE Vs. IKRAM alias SHANU
FIR No-475/2025
PS-(Khajuri Khas)

10.04.2026

Present: Sh. Ghanshyam, Ld. Addl. PP for State.
Sh. M.M Ansari, Ld. Counsel for applicant/accused.

1. The present application has been moved u/s 483 BNSS, 2023 seeking grant of regular bail for the applicant/accused **Ikram @ Shanu** who was arrested on 03.12.2025, on allegations of committing offence U/s 109(1) of BNS.

2 Ld. Counsel for the applicant/accused has submitted that similar application is neither stated to be pending in any other court nor same has been recently dismissed by any higher court.

3. Since, chargesheet has been filed and the entire material has been placed before the court, therefore, this court does not need any additional reply from the IO.

4. Briefly stated, the facts of the present are that on 02.12.2025, at about 09:00 PM, near A-Block, Khajuri Khas, Delhi, applicant/accused assaulted complainant Sagar with a knife and inflicted injuries.

5. During course of arguments, Ld. Counsel for applicant/accused has submitted that applicant/accused is a young boy of 20 years of age and has clean antecedents. Prior to the registration of this case, he was not found involved in any criminal activity. Ld. Counsel has further submitted that after completion of investigation, police has filed the chargesheet before the court, therefore, whatever

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material was to be collected has already been collected. Therefore, no purpose shall be served by keeping the applicant/accused in further custody. Ld. Counsel has also submitted that the applicant/accused had no intention to give any fatal injury to the complainant. It can be gathered from the fact that the applicant/accused had given only a single blow to the complainant. Point sought to be highlighted by Ld. Counsel is that had there been any fatal intention on part of the applicant/accused, he could have caused further injuries to the complainant. Nothing had prevented him from doing so. Ld. Counsel has further added that the blow was not given on any vital part of the body. Although, the nature of injuries has been mentioned as greivous but it has not been elaborated that under which statutory provision it falls under the category of grievous injury. Ld. Counsel has prayed that applicant/accused is ready to furnish a sound surety and abide by any condition imposed by the court.

6. On the other hand, Ld. APP for State has opposed the bail application stating that the fatal intention of the applicant/accused can be safely gathered from the type of weapon used. It was a hunting knife with backward teeth. A single blow with such a weapon can be sufficient to cause death in an ordinary course of nature. Ld. APP has taken reference of the CCTV footage where some other persons are seen intervening. Point sought to be raised by Ld. APP is that had there been no intervention by the other persons, applicant/accused could have given further injuries to the complainant.

7. Submissions heard. Record has been perused.

8. In case titled as ***“X Vs. State of Rajasthan & Anr. Spl. Leave Petition (criminal) No-13378/2024”***, the Hon’ble Apex Court

of India has observed that in serious offences like murder, dacoity, rape etc., bail applications of the accused should not ordinarily be entertained by the trial courts and high courts. The detailed observations made by Supreme Court of India in this regard are as under:-

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.

15. Over a period of time, we have noticed two things, i.e., (i) either bail is granted after the charge is framed and just before the victim is to be examined by the prosecution before the trial court, or (ii) bail is granted once the recording of the oral evidence of the victim is complete by looking into some discrepancies here or there in the deposition and thereby testing the credibility of the victim.

16. We are of the view that the aforesaid is not a correct practice that the Courts below should adopt. Once the trial commences, it should be allowed to reach to its final conclusion which may either result in the conviction of the accused or acquittal of the accused. The moment the High Court exercises its discretion in favour of the accused and orders release of the accused on bail by looking into the deposition of the victim, it will have its own impact on the pending trial when it comes to appreciating the oral evidence of the victim. It is only in the event if the trial gets unduly delayed and that too for no fault on the part of the accused, the Court may be justified in ordering his release on bail on the ground that right of the accused to have a speedy trial has been infringed.”

9. Here in this case, the applicant/accused has used a serrated hunting knife. The type of weapon used is sufficient to gather the intention of the applicant/accused. Further, one of the arguments made by Ld. Counsel for applicant/accused is that applicant/accused had not assaulted the injured on any vital part of the body. The blow was given below the abdomen. To the understanding of this court, had the blow been landed on any vital internal organ, the consequences could have easily been fatal. Furthermore, the case is at the initial stage where even charges have not been framed. If, the applicant/accused is released on bail at this stage, possibility of breach or influencing the witnesses cannot be ruled out.

10. In view of the above reasons, this court does not deem it fit to release the applicant/accused on bail at this stage.

11. Accordingly, the application stands **dismissed**.

12. It is needless to say that nothing stated hereinabove shall tantamount to expression of an opinion on the merits of the case.

13. Copy of this order be given dasti.

14. **Ordered accordingly.**

(Babru Bhan)
ASJ-04/North-East District
KKD/Delhi/10.04.2026