

(i) Bail Application no. 1446/2025
State v. **Deepak**

(ii) Bail Application no. 1447/2025
State v. **Mohit**

FIR no. 321/2025
U/s 110/126(2)/351(2)/232(1)/3(5) BNS
PS M.S. Park

18.10.2025

Present: Sh. Pradeep Kumar, Ld. Addl. PP for the State.
None for the applicants/ accused.

Arguments have already been heard in the matter on last date.

Put up for orders at 04:00 p.m.

(Vijay Kumar Jha)
PO MACT-01 (SHD)/ KKD
Delhi/18.10.2025

ORDER

18.10.2025

1. By this common order, I shall dispose of two separate applications moved on behalf of the applicants, namely Deepak and Mohit under section 483 of BNSS for grant of regular bail.
2. Arguments on applications already heard.
3. It is stated on behalf of applicant Deepak that he has been in judicial custody since 30.09.2025. That he is 35 years of age and has not committed the alleged offence. That there is no requirement for the custodial interrogation of the applicant in this case. That he is the only bread earner of his family.

4. On behalf of the applicant Mohit, it is stated that he has been in judicial custody since 30.09.2025. That he is only 19 years of age and is pursuing graduation from NIOS and his exams are scheduled from 16.10.2025 and his presence in the exams is necessary for his bright future. That he has not committed the alleged offence and has been falsely implicated in the present case by the police officials of PS M.S. Park at the instance of the complainant. That there is no requirement for custodial interrogation of the applicant in this case. That the applicant has no criminal record.
5. It is stated by Ld. Counsel for the applicants that both the applicants undertake not to tamper with the evidence in any manner and to furnish the reliable surety.
6. The Investigating Officer of the case has filed the reply opposing the instant applications, wherein, it is submitted that the present case FIR has been registered on the complaint of Ankit Kumar. In said complaint, he stated that he was going to Shiva Medical Store, Mandoli Road, to bring medicines for his father on 19.08.2025 at about 10:05 p.m., when two boys, namely Mohit and Sahil came on a motorcycle, who stopped his way and asked not to testify in the case and to give false testimony, to which the complainant refused. On this, Mohit called his maternal uncle Deepak on the spot and all three together started abusing the complainant with filthy language and started beating him with kicks and punches.
7. It is further stated in the reply of IO that in the meanwhile, Mohit attacked the complainant's neck with a sharp object on which the complainant shouted loudly hearing the voice, Rahul, the acquaintance

of complainant came there. Rahul tried to stop the fight, on which Sahil took out the iron rod tied to the motorcycle and hit Rahul on his head, due to which blood started oozing from the head of Rahul. At the same time, Aniket, an acquaintance of the complainant, also came there to hear the noise and all three of them kicked and punched Aniket. And Mohit hit Aniket on the head with a key.

8. The arguments of the Ld. Counsel for the applicants that both applicants have been falsely implicated in the case and the applicant Mohit being a young lad of 19 years of age, if not granted bail would not be able to appear in the exam and would affect his career and future prospects adversely. That the custodial interrogation of none of the applicants are required, no purpose would be served by keeping both applicants behind the bars.
9. The substantial argument of the Ld. Addl. Public Prosecutor for the State is on the lines of the reply filed by the Investigating Officer.
10. In the common reply filed by the Investigating Officer, the present bail applications have been opposed to on the specific ground that both the applicants have threatened the witnesses of another case and it indicates that if the applicants are admitted to bail, they would again threaten the witnesses. The offences committed are heinous in nature and that the family members do not have any control over the applicant Deepak and previously also he has been involved in other cases.
11. It is said that witnesses are the eyes and ears of the Court and if the witnesses are attacked, it is the direct attack on the rule of law and is an interference in due administration of justice and therefore, it is a serious

crime which is made more serious if the witness receives injuries or is regularly threatened with respect to the case in which the witness has to depose.

12. Taking into consideration the gravity of the offence and the role of both applicants in the commission of the offence in the sense that both of the applicants threatened the complainant with respect to either withdraw the case or to depose in favour of one of the accused persons in the Court the accused persons have tried to interfere in the due administration of justice. The Court also agrees with the ground of dismissal of the bail applications of the applicant that if the applicants are released, they would again try to threaten the complainant and other witnesses. Therefore, despite the fact that the applicant Mohit is about 19 years of age, the Court is not inclined to admit any of the applicants on bail. According both the **applications are dismissed**.
13. Copy of the order be served upon the applicants through the concerned Jail Superintendent. A copy of order be given dasti.

(Vijay Kumar Jha)
PO MACT-01 (SHD)/ KKD
Delhi/18.10.2025