

**IN THE COURT OF KADAMBARI AWASTHI, ASJ (FTSC) (RC-02),
WEST, TIS HAZARI COURTS, DELHI**

**Bail Matters 492/2026
STATE Vs. SHAHID
FIR No. 161/2026
(NIHAL VIHAR)
u/Sec. 110/3(5) BNS**

20.03.2026

Undersigned is performing bail duty in pursuance to order No. 262/10405-1043/Bail Power/Gaz./PDJ West/2026 dated 09.02.2026 by Ld. Principal District & Sessions Judge (West), THC, Delhi.

The present application under Section 483 BNSS filed on behalf of accused/applicant for grant of bail.

Present : Sh. Vikram Dubey, Ld. Addl. PP for State.
Mohd. Rashid, Ld. Counsel for applicant/accused.
Complainant in person.

This is the application u/s 483 BNS moved on behalf of the applicant/accused for grant of bail.

IO sent reply to the bail application of accused/applicant.

On inquiry, Ld. Counsel for applicant/accused states at Bar that there is no other bail application of the present applicant/accused is pending before the Hon'ble High Court of Delhi or the Hon'ble Supreme Court of India.

Detailed oral submissions advanced by the counsel for accused and IO and same heard.

It is argued that accused/applicant has been falsely implicated in this case. It is further argued that accused is in JC since 05.03.2026 and investigation qua him is complete and no more required for further investigation. It is submitted that on the day of incident quarrel took place between the complainant and applicant due to which complainant slipped from the stair as he was in intoxicant and received injuries. It is further argued that accused/applicant has also received injuries during the scuffle. It is submitted that investigation is complete in the present case, hence, there is no need of any custodial interrogation. He relied upon the judgment of *Hon'ble Apex Court titled as Sanjay Chandra vs. CBI (2012) 1 SCC 40* and order of *Hon'ble High Court of Delhi titled as Sharad Kumar Ors. vs. CBI*.

On other hand, Ld. Sub. Addl. P. P. for State submitted that accused should not be granted bail as the offence committed by applicant/accused is serious in nature. He submits that injuries received by the complainant is opined as 'dangerous' in MLC. He further submits that co-accused persons are yet to be arrested.

I have heard rival submissions of both sides. The allegations leveled against the present applicant/accused are serious in nature. As per report of IO, case is at initial stage; charge sheet is yet to be filed and co-accused persons are yet to be arrested. MLC filed by the IO reveals that the complainant has bleeding and swelling over head, ENT bleeding which are grievous in nature. Without going into the merits of the case at this stage this court does not found sufficient ground to grant bail to the applicant/accused at this stage as case is at initial stage, co-accused persons are yet to be arrested and charge sheet yet to be filed.

Accordingly, this Court is not inclined to grant bail to applicant/accused u/s 483 BNS. Hence, application of applicant/accused is hereby dismissed.

It is clarified that nothing expressed herein above, shall tantamount to any opinion on the merits of this case.

In aforesaid terms and observations, the present bail application of the applicant/accused stands disposed off.

(Kadambari Awasthi)
ASJ(FTSC)(RC)-02/West/THC
20.03.2026