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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 1564/2025**

SHASHANK JADON

.....Appellant

Through: Mr. Rakesh Kumar Khanna, Sr. Adv.
with Mr. Pramod Kumar, Mr. Ajay
Kumar Yadav, Ms. Kanti Tiwari and
Ms. Piyushi Garg, Advvs.

versus

CENTRAL BUREAU OF INVESTIGATION

.....Respondent

Through: Mr. Atul Guleria, SPP CBI with Mr.
Aryan Rakesh, Adv. (M:8979277557)
Mr. Ankur Mittal, Mr. Abhay Gupta,
Ms. Ipshita Dutta, Advvs. for
Complainant. (M:9890486977)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **11.02.2026**

1. This hearing has been done through hybrid mode.

CRL.M.(BAIL) 2266/2025 (for suspension of sentence)

2. The present application has been filed by the Appellant under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter, 'BNSS') seeking suspension of sentence during the pendency of the present appeal.

3. Submission by Mr. Khanna, Id. Senior Counsel appearing on behalf of the Appellant is that the Appellant has served 8 years and 5 months in custody as per the Nominal Roll dated 4th February, 2026 and the present appeal being of the year 2025, may not be taken up early. It is also submitted by the Id. Senior Counsel that the Appellant is 33 years of age and was a young boy of 25 years of age when he was taken into custody.



4. It is submitted by Id. Senior Counsel that the Appellant is well-educated and a graduate from the Delhi College of Engineering. He has old parents and he is the only son. Further submission on behalf of the Appellant is that his sentence may be suspended as there is sufficient material on record to show that the evidence was not fully appreciated by the Trial Court.

5. On behalf of the Central Bureau of Investigation (hereinafter, 'CBI'), Mr. Atul Guleria, Id. Counsel has pointed out that the conviction in this case deserves to be upheld as PW-5-Gagan Dudhoria, who was accompanying the deceased, has given the full and true version of the incident that occurred on the said unfortunate date. Id. Counsel for the CBI submits that the deceased in this case was also an engineer working in TCS and had got married just one month before his death. Id. Counsel further points out that the bullet shot injury was inflicted by the Appellant upon the deceased.

6. On behalf of the deceased and his family, the grant of any suspension is severely opposed on the ground that this crime was committed against the deceased, who is the only son in India taking care of his parents. The deceased was a well qualified professional. On behalf of the family it is submitted that the crime which has been committed by the Appellant does not deserve any leniency.

7. The Court has considered the matter. The Appellant was arrested on 2nd June, 2017 and has a chequered history.

8. The incident took place on 13th April, 2015 and according to the deceased's family, there was no progress on the investigation or the arrest.

9. The family of the deceased had approached the Allahabad High Court, who had then transferred the investigation of the present case to the CBI *vide* order dated 26th April, 2016. The trial of the case was also transferred to Delhi



at the instance of the family of the deceased by the Supreme Court *vide* order dated 2nd August, 2019. The Appellant was then taken into custody on 2nd June, 2017 and has remained in custody till date. The Appellant was granted bail on two occasions *i.e.*, from 13th January, 2025 to 29th April, 2025 and from 8th May, 2025 till 12th May, 2025. The Appellant had, thereafter, surrendered.

10. The Court has perused the nominal roll dated 4th February, 2026. Apart from the incident in question, there are some cases against the Appellant under the Negotiable Instruments Act, 1881. The conduct of the Appellant has been reported as 'Good'.

11. Under these circumstances, at this stage, this Court deems it fit to release the Appellant on interim bail till 30th March, 2026, subject to the following conditions.

- i. The Appellant shall furnish a personal bond for a sum of Rs. 25,000/- with a surety in the like amount to the satisfaction of the Trial Court;
- ii. The Appellant shall provide his live phone number and residential address, where he would be living upon release, to the concerned Investigating Officer (hereinafter, 'IO') and regularly update the IO about change in the address and phone number, if any. The Appellant shall keep his phone number operational at all times.
- iii. The Appellant shall report to SHO, Vijay Nagar, Ghaziabad, on every Monday at 11:00 A.M. and shall be discharged by 12:00 noon, after recording his presence and completion of all the necessary formalities;
- iv. The Appellant shall not leave the Delhi, Ghaziabad and Noida



region without prior permission of this Court;

- v. The Appellant shall not indulge in any criminal activity and shall not approach or extend any threat to any family member of the deceased and upon any such activity being discovered or indulged into, the present interim bail shall automatically stand cancelled;
- vi. After completion of the interim bail period, the Appellant shall surrender before the concerned Jail Superintendent.

12. A copy of this order be sent to the concerned Jail Superintendent for necessary information and compliance.

13. Order be uploaded on the website of this Court *forthwith*.

14. List for further consideration of the present application seeking suspension of sentence on 15th April, 2026.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

FEBRUARY 11, 2026/dk/ck