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**IN THE HIGH COURT OF DELHI AT NEW DELHI
CRL.A. 1664/2025**

JAI PRAKASH @ SUNNY

.....Appellant

Through: Mr. Amjad Khan, Mr. Sumit Kumar,
Mr. Rikhil and Mr. Mohd. Azurddin,
Advs.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Aashneet Singh, APP for State.
Mr. Vineet Kumar, Mr. Shivam Anand
and Mr. Roop Narain, Advs. along
with sister of victim.
Insp Subhash Chandra.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

ORDER

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08.07.2026

1. This hearing has been done through hybrid mode.

CRL.M.(BAIL) 1125/2026 (interim bail)

2. The present application has been filed by the Appellant- Jai Prakash@ Sunny, who is in custody, under Section 430 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking interim bail for a period of 8 weeks.

3. The Victim/Complainant in this matter has engaged a private Counsel. Accordingly, Ms. Anu Narula, Id. Counsel from DHCLSC is discharged.

4. The Appellant in the present appeal challenges the impugned judgement dated 4th November, 2025 and order on sentence dated 10th November, 2025 passed by the Id. ASJ-01(FTC), West District, Tis Hazari



Courts, Delhi.

5. *Vide* the impugned judgment, the Appellant has been convicted for offences punishable under Sections 302/308 of the Indian Penal Code, 1860 (*hereinafter*, ‘IPC’).

6. *Vide* the impugned order on sentence, the Appellant has been awarded life imprisonment and a fine has also been imposed in the following terms:

“[...]”

Considering the aggravating and mitigating factors as highlighted by the prosecution and defence, convict Jai Prakash @ Sunny is sentenced as under:

(i) Imprisonment for life and a fine of Rs.20,000/- for commission of offence under Section 302 IPC. In default of payment of fine, the convict shall undergo simple imprisonment for 30 days.

(ii) Rigorous Imprisonment for 1 year with fine of Rs.5000/- for commission of offence under Section 308 IPC. In default of payment of fine, the convict shall undergo simple imprisonment for 10 days.

7. On 29th May, 2026, notice was issued in the present application and ld. APP was directed to verify the facts and file a status report.

8. Pursuant thereto, the matter was listed on 10th June, 2026, before the Vacation Bench and it was directed as under:

“[...]”



2. Learned counsel for the Respondent has opposed the Application for Suspension of Sentence on the ground that the matter has been heard by the Regular Roster Bench. On 29.04.2026 despite an opportunity, no arguments were addressed on behalf of the Appellant.

3. Reply to the Application be filed before the next date of hearing.

4. List before the regular Roster Bench on 08.07.2026”

9. Today, the matter has been listed before this Bench.

10. Ld. Counsel for the Appellant submits that Appellant is seeking interim bail for a period of 30 days, on the ground that he has been in incarceration for more than 11 years, and he wishes to meet his family members, including his old mother and sister.

11. Further, it is stated that the alleged incident, in which the deceased sustained stab injuries, occurred on 16th July, 2015, pursuant to a neighbourhood quarrel.

12. Ld. Counsel for the deceased victim opposes the release of the Appellant on interim bail and has made the following submissions:

- (i) That the crime committed by the Appellant was brutal and, therefore, he ought not to be released on interim bail.
- (ii) The application for interim suspension of sentence mentions certain misleading facts.
- (iii) The Appellant has two brothers, whose details have not been



mentioned in the said application.

(iv) That the family of the deceased is continuously facing threats from the Appellant's family.

13. Mr. Aashneet Singh, Id. APP for the State submits that the conduct of the Appellant in the jail may also be seen, while considering the present application.

14. The Court has considered the matter and has perused the records.

15. The facts relating to Appellant's family have been verified by the Status report which has been filed on behalf of the State.

16. A perusal of the latest Nominal Roll of the Appellant would show that the Appellant is quite young and is just 30 years old. He has been in custody for more than 11 years.

17. The Appellant's conduct in jail has been unsatisfactory between 2019 to 2022. During the said period, incidents occurred, wherein the Appellant was found fighting with fellow inmates, and in one case certain prohibited articles were recovered from him.

18. In respect of these four to five incidents, which took place in the jail, the *mulaqat* was stopped, for some period. However, in the last few years, the jail conduct of the Appellant has been satisfactory.

19. The Court, having considered the overall facts and circumstances of the case, is of the opinion that the Appellant's familial ties need to be restored and he ought to be afforded an opportunity to meet his mother and other family members. Considering also the long period of incarceration undergone by the Appellant, the Court is inclined to release him on interim bail for a period of 30 days from the date of his release, subject to the following conditions:



- I. The Appellant shall be released upon furnishing a personal bond for a sum of Rs.10,000/-, with a surety of the like amount, to the satisfaction of the Trial Court/Link Court;
- II. The Appellant shall intimate the concerned SHO, P.S. Anand Parbat regarding his residential address where he would be residing upon release, and shall also inform the concerned SHO regarding any change in his residential address;
- III. The Appellant shall provide his live mobile number to the concerned SHO, P.S. Anand Parbat and intimate about change in the number, if any;
- IV. The Appellant shall report at the office of the concerned SHO, P.S. Anand Parbat, on every Monday at 11:00 a.m. and he shall be discharged by 12 noon, after recording his presence and completion of all the necessary formalities;
- V. The Appellant shall not indulge in any criminal activity and upon any such activity being discovered or indulged into, the present suspension of sentence shall automatically stand cancelled;
- VI. The Appellant shall not leave the country without prior permission of this Court.
- VII. The Appellant or his family members shall not directly or indirectly, contact the family members of the deceased, who may be residing in the same neighbourhood.
- VIII. The concerned SHO shall depute a beat Constable, on a periodic basis, to ensure that there is no apprehension of safety or security to the family of the deceased.



20. The Appellant shall surrender before the concerned Jail Superintendent upon expiry of the period of interim bail.
21. The application is allowed and disposed of in the above terms.
22. Copy of this order to be sent to the concerned Jail Superintendent for necessary information and compliance.
23. Order to be uploaded on the website of this Court *forthwith*.

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24. List on the date already fixed *i.e.*, 16th September, 2026.

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

JULY 8, 2026

Nsa/dss/sm