



2026:DHC:2885



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

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*Date of Decision: 07.04.2026*+ **BAIL APPLN. 594/2026**

AKASH @ TT

.....Petitioner

Through: Mr. Takshay and Mr. Manish Godara,  
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for State  
with Inspector Praveen.+ **BAIL APPLN. 645/2026, CRL.M.A. 4925/2026 & CRL.M.A.  
4926/2026**

ANKIT SHOKEEN

.....Petitioner

Through: Mr. Sandiip Gupta, Advocate  
(*through videoconferencing*).

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Amit Ahlawat, APP for State  
with Inspector Praveen.**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicants seek regular bail in case FIR No. 269/2022 of Police Station Hari Nagar for offence under Section 302/307/323/147/148/149/506/120B/34 of IPC.



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2. Broadly speaking, the prosecution case is that inside the jail cell, a group of prisoners assaulted two prisoners with *dandas*, fists and kicks. One of the victim prisoners died in the incident. Two of the alleged assailants have already been granted bail by coordinate benches of this court. The entire incident was captured on CCTV installed inside the cell.

3. Learned counsel for both accused/applicants submit that they are entitled to bail on grounds of parity with co-accused persons Ashwani and Rahul, who were granted bail by the coordinate benches of this court. It is also contended that the alleged incident was a part of group fight between the prisoners and nobody expected that one of the victims would die.

4. On the other hand, learned prosecutors assisted by Investigating Officer/Inspector Praveen oppose these bail applications, contending that role played by the present accused/applicants was different from the role played by co-accused persons Ashwani and Rahul to the extent that neither of them used *danda* during assault, whereas, the present accused/applicant Ankit assaulted the victims with *danda*. Further, it is contended that the accused/applicant Akash is involved in six more cases while the accused/applicant Ankit is involved in four cases.

5. Learned APP has played the CCTV footage in court. The manner in which the two groups assaulted two co-prisoners, one of whom



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succumbed, conveys an impression that although the assailants were waiting for the victims to enter the cell, but the manner of assault does not show a concerted attack. Practically, it was free for all with a number of inmates assaulting both the victims. Some of the assailants were carrying *dandas* while others were using fists and kicks.

6. In response to a specific query, the Investigating Officer admits that he did not investigate into the role played by the jail officials in order to find out as to how *dandas* entered the cell.

7. Further, as submitted by both sides, during trial, three of the prosecution witnesses have turned hostile to prosecution.

8. Looking into the manner of assault, the use of *dandas* or fists/kicks cannot be a criteria in this case to distinguish the roles played by the present accused/applicants and the accused persons Ashwani and Rahul. In view of the manner of assault, parity to the present accused/applicants cannot be denied on the ground that one of them namely Ankit used *danda* in the assault.

9. Considering the above circumstances, these bail applications are allowed and the accused/applicants are directed to be released on bail, if not required in any other case, subject to each of them furnishing a personal bond in the sum of Rs.20,000/- with one surety each in the like



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amount to the satisfaction of the learned trial court. Pending applications stand disposed of.

10. Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the accused/applicants.

**GIRISH KATHPALIA  
(JUDGE)**

**APRIL 7, 2026/ry**