



2026:DHC:5576



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

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Date of Decision: 13.07.2026+ **BAIL APPLN. 1765/2026**

SALAM @ CHANNA

.....Petitioner

Through: Mr. M. L. Yadav, Mr. Prashant and
Mr. Piyush, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with Inspector Rampal, PS Shalimar
Bagh and Inspector Mahesh, PS
Rajouri Garden.Mr. Piyush Pathak, Advocate for the
deceased with mother of the deceased
in person.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 999/2021 of Police Station Rajouri Garden for offence under Section 302/201/149/34 IPC and Section 25/27/54/59 Arms Act.

2. Broadly speaking, allegation against the accused/applicant is that he caught hold of the deceased while the co-accused, Farhan stabbed the deceased. In the hospital, the deceased informed his mother that he was



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caught hold of by the present accused/applicant and stabbed by Farhan. According to prosecution case, the deceased, Dablu was in love affair with sister of Farhan; the present accused/applicant is maternal uncle of that girl.

3. Learned counsel for accused/applicant contends that in view of the role played by the accused/applicant, which was mere catching hold of the deceased, this is a fit case to grant bail. It is contended that delay in conclusion of trial also is a vital ground in the present case. It is also contended that the co-accused, Chand Ali and Raja Babu have already been granted bail. It is also contended that there are no objectionable antecedents of the accused/applicant and he is in custody since 02.12.2021.

4. Learned APP for State assisted by Investigating Officer/Inspector Mahesh strongly opposes this bail application on the ground that it is a case of honour killing, in which the present accused/applicant being maternal uncle of the girl and co-accused Farhan being brother of the girl killed the deceased.

5. Learned counsel for complainant *de facto* also strongly opposes the bail application, submitting that mother of the deceased has supported the prosecution case during her testimony, but two other public witnesses have turned hostile to prosecution under pressure from the family of accused/applicant.



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6. Admittedly, Farhan has not been granted bail till date and as regards the bail granted to Chand Ali and Raja Babu, the role ascribed to them by prosecution is only to the extent that they were present at the spot. Role of the present accused/applicant is completely distinguishable.

7. As regards the issue of delay in trial, learned counsel for complainant *de facto* points out that in the earlier bail application, vide order dated 07.02.2026 (*Annexure A-4 to the application*), this Court, after examining the ordersheets of the trial court, opined that there was no delay in trial that could be attributed to prosecution or the Court, therefore, that application was withdrawn by the accused/applicant with liberty to file afresh after recording of testimony of the parents of the deceased and now, that the mother of the deceased has strongly supported the prosecution case while the father of the deceased had no specific role as a witness, the accused/applicant cannot claim bail alleging delay in trial.

8. So far as the argument that there are no objectionable antecedents, I find substance in submission of prosecution that this is a case of honour killing in which the accused persons allegedly killed the boy who had an affair with the sister of the stabber and niece of the accused/applicant.

9. Considering the gravity of the offence and testimony of mother of the deceased, who has supported prosecution case, I do not find it a fit case to



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grant bail to the accused/applicant. Therefore, the bail application is dismissed.

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

**GIRISH KATHPALIA
(JUDGE)**

JULY 13, 2026/dr