



2026:DHC:7961



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

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Date of Decision: 17.09.2026# **CNR No. DLHC010217012026**+ **BAIL APPLN. 1891/2026**

AMIT KHANNA

.....Petitioner

Through: Mr. Akshay Bhandari, Ms. Megha Saroa, Mr. Kushal Kumar, Mr. Janak Raj Ambavat and Ms. Tanuja, Advocates.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State with Inspector Rajneesh Kumar and Inspector Manoj Kumar, PS Sultan Puri.

CORAM: JUSTICE GIRISH KATHPALIA**J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 02/2023 of PS Sultan Puri for offence under Section 302/201/212/182/34/120B IPC.
2. In furtherance of last date, the Investigating Officer filed additional status report giving five links of the CCTV footages in support of his



2026:DHC:7961



submission that the offending car was being driven by the accused/applicant.

3. I have heard learned counsel for accused/applicant and learned APP for State assisted by Investigating Officers/Inspector Rajneesh Kumar and Inspector Manoj Kumar. In the course of submissions, the said CCTV footages were also played in the courtroom.

4. Briefly stated, prosecution case is as follows. Initially, the FIR was registered for offence under Section 279/304A IPC against one Deepak, who is cousin of the present accused/applicant. The subsequent investigation revealed that at the time of the alleged roadside accident, the offending car was being driven by the present accused/applicant and not by Deepak. The investigation further revealed that after being hit by the offending car, the deceased girl was dragged along 13 kms with her body entangled under the car. Therefore, the FIR was converted into the one for offence under Section 302/201 IPC.

5. On last date, it was contended by the Investigating Officer that the CCTV footages would show that the present accused/applicant was clearly visible in the driver seat. The CCTV footages played today in the courtroom depict the offending car being handed over to the present accused/applicant, who occupies the driver seat. However, the CCTV footages do not depict



2026:DHC:7961



face of the accused/applicant at the exact moment of the alleged incident.

6. Against the above backdrop, learned counsel for accused/applicant submits that he is in custody since 01.01.2023 without any evidence against him. It is contended that from 01.01.2023 till 06.01.2023, there was no case against the accused/applicant as driver of the offending car. It is contended that there is no evidence at all to connect the present accused/applicant with the alleged murder. Learned counsel for accused/applicant has taken me through chief-examination of the alleged eye witness Nidhi, who was sitting pillion on the scooty being driven by the deceased at the time of the alleged incident and Nidhi has stated that the deceased was heavily drunk as they were returning from a party. It is also submitted that claim of Nidhi that she could identify the present accused/applicant as driver of the offending car came out only in her third statement, recorded one week after the incident, that too after the disclosure statement of co-accused Ashutosh was recorded for the first time on 06.01.2023. It is also contended that till date, the Investigating Officer has not placed on record the results of Facial Recognition System and that the CCTV footage does not depict the accused/applicant. It is also contended that out of 117 prosecution witnesses, 14 witnesses have been examined so far and that all other co-accused persons are on bail.



7. In order to clearly understand the factual matrix, a specific query was put to both sides as regards relations between Deepak and the present accused/applicant in order to rule out a possibility that for the offence committed by Deepak, the liability was being taken over by some employee or driver of Deepak. But it is stated by both sides that Deepak is cousin of the present accused/applicant.

8. On the other hand, learned prosecutor with the assistance of the IOs strongly opposes the bail application, pointing out the gruesome manner in which the deceased was killed after she got entangled under the car being driven by the accused/applicant and being dragged along for almost 13 kms. It is also contended that after was dragged over some distance, the associates of the accused/applicant sitting in the car came out and even saw the body of the deceased entangled, but they drove along further. Learned APP for State also submits that apart from the CCTV footages and testimony of Nidhi, there is also forensic evidence in the form of DNA analysis of the flesh that remained stuck on the offending car and the same matched with DNA of the deceased. Besides that, it is also submitted that even the PCR in their report described the incident and also disclosed the registration number of the offending car, which is being clearly depicted in the CCTV footages. It is also submitted that the accused/applicant refused to join TIP proceedings.



2026:DHC:7961



9. I have examined the testimony of Nidhi, who was sitting pillion on the scooter being driven by the deceased at the time of the alleged incident. Of course, in her testimony, Nidhi stated that the deceased was drunk at the time of the alleged incident, but she also stated that even the accused/applicant and other occupants of the offending car also were heavily drunk. As mentioned above, the CCTV footages depict that the offending car was handed over to the accused/applicant to drive and even after hitting the deceased and dragging her body under the car, the accused/applicant continued to drive, after which he stopped and got down, but even after seeking the deceased entangled under the car, he drove further up to 13 km. The gravity and manner in which the murder was allegedly committed dissuades me to grant bail.

10. Therefore, the bail application is dismissed. Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the accused/applicant immediately.

**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 17, 2026/dr