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

% *Date of Decision: 17.11.2026*

\# **CNR No. DLHC010337372026**

\+ **BAIL APPLN. 2974/2026**

LAL CHAND @ GOLU .....Petitioner

Through: Mr. Chetan Kaushik, Mr. Kailash Sharma and Mr. Nikhil Dabas, Advocates.

versus

THE STATE OF NCT OF DELHI .....Respondent

Through: Mr. Amit Ahlawat, APP for State with Ms. Megha Garg, Advocate and SI Sumit Singh, PS Ranjeet Nagar.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 286/2023 of Police Station Ranjeet Nagar for offence under Section 302/34 IPC.

2. After last date, status report with three relevant links of CCTV footage were filed by prosecution. I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/SI Sumit Singh.

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3. Broadly speaking, the prosecution case is as follows. On 22.04.2023 at about 11:00 pm, there was some altercation between the present accused/applicant and the deceased, since the latter had parked his scooter wrongly in the lane, due to which the car of the former could not pass and subsequently the deceased tilted his scooter, allowing way to the car. Thereafter, the accused/applicant and his co-accused sat pillion on the scooter of the deceased and asked him to drive to their area. Thereafter, both the accused persons pushed the scooter and the deceased fell under the same on ground. It is at that stage, an eye witness named Ilu Parmar saw the accused/applicant and the co-accused giving fists and kicks to the deceased, who started bleeding from nose, after which the accused/applicant and the co-accused fled the spot. On being taken to hospital, the deceased was declared brought dead.

4. Learned counsel for accused/applicant submits that the accused/applicant is innocent and has been falsely implicated in this case. It is submitted that the deceased was a friend of both accused persons and while all three of them were travelling on the scooty, it skidded because the deceased was under influence of liquor and on account of that fall, the deceased succumbed. It is also submitted by learned counsel that the alleged eye witness namely, Ilu Parmar has not been appearing to conclude his testimony despite issuance of non-bailable warrants after 26.09.2025.

5. Learned APP for State opposes the bail application and has played in

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the courtroom the said three CCTV links. It is submitted that now Ilu Parmar has been traced out and shall appear before the trial court on the next date.

6. The CCTV footage played in the courtroom depicts scooter of the deceased parked in a lane; one car, apparently a cab, enters the frame of the CCTV and both the accused persons come out of that car, after which the deceased tilts his scooter and the car passes through the lane; after the car has been driven away by its driver, both the accused persons, who had alighted from the car, start talking to the deceased; the accused/applicant, who is wearing a cap, goes away while the co-accused after some talk shakes hand with the deceased; the co-accused kicks the scooter and one neighbour also tries to intervene but goes away; after some time the accused/applicant returns to the spot and all three of them go away on the scooter driven by the deceased.

7. As mentioned above, even according to prosecution case, the deceased was found under influence of liquor when he was driving the scooter that allegedly skidded. Driver of the said car, who could have a reason or a grudge against the deceased, admittedly is not a co-accused. However, on all these facts, the trial court shall take an independent view on the basis of material on record without getting influenced by observations made in this order.

8. Moreover, since 26.09.2025, the alleged eye witness namely, Ilu

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Parmar has not been appearing despite issuance of non-bailable warrants. On 29.07.2026 before this Court, the IO had assured that Ilu Parmar would positively appear before the trial court on 16.09.2026 for his testimony, but that again did not happen. The accused/applicant cannot be kept in jail endlessly.

9. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate.

10. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

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GIRISH KATHPALIA
(JUDGE)

NOVEMBER 17, 2026/*dr*

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