



2026:DHC:519



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

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Date of Decision: 21.01.2026+ **BAIL APPLN. 219/2026, CRL.M.A. 1780/2026, 1781/2026 & 1779/2026**

JAKIR HUSSAIN

.....Petitioner

Through: Mr. Dhananjai Jain and Mr. Bhoop Singh, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Ajay vikram Singh, APP for State with IO/SI Daya Ram, PS Narela
Mr. Sarthak Tomar, Advocate for R2**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks anticipatory bail in case FIR No. 734/2025 of PS Narela for offence under Section 109(1)/3(5) of BNS and 27 Arms Act.

2. Broadly speaking, allegation against the accused/applicant is that he was accompanying the main assailant Sahil, who inflicted a gunshot injury on the right thigh of the injured Arbaz. According to the FIR, on account of a quarrel between two groups, there was a scuffle between Sahil, who brandished a pistol and Arbaz, in the course whereof, Sahil pulled the trigger and the pistol shot fired point blank at the right knee of Arbaz.



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3. It is submitted by learned counsel for accused/applicant that accused/applicant is innocent and has been falsely implicated in this case as a matter of counterblast to an earlier FIR No. 732/2025 registered against Arbaz and others on the complaint of accused/applicant.

4. Learned APP accepts notice and with the assistance of the IO/SI Daya Ram and learned counsel for complainant *de facto* strongly opposes the anticipatory bail application, though admits that two more accused persons of this case have already been granted interim protection from arrest by a co-ordinate bench.

5. Having examined the FIR, I also examined the investigation file. Initially, Arbaz was taken to Satyawadi Raja Harish Chandra Hospital at about 10:00pm and on examination, the concerned doctor reported the injury found on Arbaz as: “*right thigh 2 entry wound 0.5x0.5 cm. No exit wound present*”. The examining doctor referred Arbaz to LNJP Hospital. Before LNJP hospital, the IO moved an application for opinion of a surgical expert. In his report dated 07.11.2025, the LNJP doctor gave findings including no tattooing or blackening around the wound.

6. As rightly submitted by learned counsel for accused/applicant, going by the version of the alleged firing from point blank range, it is not possible that the entry would not be reflecting tattooing or blackening. Further, the question is that if the bullet entered the thigh of Arbaz, where did it go. No bullet from body of Arbaz or even any empty shell from the spot was recovered.



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7. Considering the above circumstances, I find no reason to deprive the accused/applicant liberty.

8. The application is allowed and it is directed that in the event of his arrest, the accused/applicant shall be released on bail, subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the IO/SHO concerned. Accompanying applications also stand disposed of.

**GIRISH KATHPALIA
(JUDGE)**

JANUARY 21, 2026/as