



2026:DHC:8097



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

% *Date of Decision: 21.09.2026*

CNR No. DLHC010448822026

+ **BAIL APPLN. 3960/2026, CRL.M.A. 29344/2026 & CRL.M.A. 29345/2026**

VISHAL@PAIWALA

.....Petitioner

Through: Ms. Dolly Sharma, Advocate.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with IO/Inspector Raj Kumar.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks interim bail for a period of 45 days in case FIR No. 591/2024 of PS Narela for offence under Section 103(1)/109(1)/333/3(5)/238/324/190 of BNS and Section 25/27 of Arms Act.

2. The interim bail is sought on the ground that the accused/applicant has to reappear for Senior Secondary Examination, scheduled from



2026:DHC:8097



01.10.2026 to 22.10.2026.

3. The allegation against the accused/applicant is that along with his associates, he assaulted the complainant *de facto* in the office of the complainant *de facto*. In the process, three shots were fired by the co-accused, which caused injuries to two eyewitnesses while the third victim of the gunfire succumbed.

4. Learned counsel for accused/applicant submits that at least interim bail be granted to him so as to enable him to reappear in 12th standard examinations. It is submitted that earlier also the accused/applicant was granted interim bail for appearing in examination. It is submitted that the accused/applicant is the only male member of his family as his father has already expired.

5. Learned APP for State, assisted by IO/Inspector Rajkumar, accepts notice and strongly opposes the interim bail application. It is submitted by learned APP that the accused/applicant has not even filed his Admit Card to show that he has applied for taking re-examination. It is also contended that on the earlier occasion, when the accused/applicant appeared for examination, the scores attained by him were so negligible that it cannot be believed that he is seriously interested in taking the exam.

6. As regards the Admission Ticket, learned counsel for



2026:DHC:8097



accused/applicant submits that the same would be received only one week before the scheduled date of examination.

7. It is also pointed out by learned APP that according to the order passed by the learned Court of Sessions, earlier when the accused/applicant was allowed interim bail, he did not even appear to take that exam. It is also submitted that the accused/applicant has not placed on record, the results of earlier occasions when he was granted interim bail and he took the exam. On this aspect, learned counsel for accused/applicant submits that the learned Court of Sessions has wrongly mentioned in the order dated 16.09.2026 that the accused/applicant did not place on record the earlier results. It is submitted by learned counsel that those records were filed before the Court of Sessions.

8. Learned counsel for accused/applicant submits that earlier from 23.02.2026 to 25.03.2026 also, the accused/applicant was granted interim bail and the results have been annexed as Annexure-F to this bail application. It is submitted by her that the said records were filed before the Court of Sessions also, but the same were ignored.

9. It is further submitted by learned counsel that thereafter in the month of April also, the accused/applicant was granted interim bail and he appeared in the examination.



2026:DHC:8097



9.1 But the accused/applicant has not placed on record, a copy of that order of the Court of Sessions by which he was granted interim bail in April 2026. Neither the results nor any other document has been filed to show that the accused/applicant actually took the examination in April 2026 after obtaining interim bail.

9.2 It is contended by counsel for accused/applicant that the result of April examination is Annexure-F only. But this submission is totally contrary to record insofar as Annexure-F clearly mentions that the same pertains to February/March 2026 examinations.

9.3 The counsel for accused/applicant submits that in April 2026, practicals were held. But even in this regard, there is no document filed with the interim bail application to show that the accused/applicant participated in any practical examination in April 2026.

10. Learned APP also opposes the interim bail application on the ground that the allegations against the accused/applicant are quite serious and the eyewitnesses are yet to be examined before the trial court. It is contended that the accused/applicant wants to somehow come out of the jail and win over the eyewitnesses.

11. Apart from the above circumstances, the fact remains that the accused/applicant could have applied for an examination centre in jail itself,



2026:DHC:8097



which he did not do. The trial is at a crucial stage. It is suggested by the learned APP, on instructions, that the accused/applicant even at this stage can apply to the concerned Education Board for providing examination centre in jail itself.

12. It appears that the accused/applicant is not seriously interested in taking that exam and is only interested in somehow coming out of the jail; and as mentioned above, in this case involving murder of one person and attempted murder of two more persons, testimony of eyewitnesses is yet to be recorded by the trial court.

13. Considering the above circumstances, especially that from record it appears that the accused/applicant did not appear in the April 2026 examination despite having obtained interim bail in April 2026 on that ground, I am not inclined to grant interim bail. The interim bail application and accompanying applications are dismissed.

14. However, it is directed that in case the accused/applicant so desires, the concerned Jail Superintendent shall allow him uninterrupted benefit of studying in the jail library from morning till evening and shall also take up, with the concerned Education Board, to arrange examination centre within jail premises itself.

15. For compliance and intimation to the accused/applicant, copy of this



2026:DHC:8097



order be sent to the concerned Jail Superintendent.

**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 21, 2026/ry