



2026:DHC:4743



\$~1

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 26.05.2026

+

BAIL APPLN. 348/2026

GAURAV

.....Petitioner

Through: Mr. Varun Deswal and Mr. Siddharth
S. Yadav, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for State
with IO/Inspector Ajay Singh

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 60/2024 of Police Station North Avenue for offence under Section 190 /191(2) /191(3) /115(2) /109(1) /3(5) of BNS.

2. After last date, status report dated 22.05.2026 was filed, but the same does not disclose the specific efforts done by the IO to arrest co-accused Ramesh. However, according to the status report, Ramesh surrendered before the trial court on 21.05.2026.

3. With the above background, I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/Inspector Ajay



2026:DHC:4743



Singh.

4. Broadly speaking, prosecution case is as follows. On 19.10.2024, at about 10:00 pm, the complainant Dheeraj along with Deepak and Vineet was sitting at a local restaurant/kiosk, where Ricky and Pawan met them. Ricky had suffered head injury and informed that on account of money dispute, he had a quarrel with Pawan and Anuj and in the process, he as well as Anuj suffered injuries. On this, Dheeraj, Deepak and Vineet took Ricky and Pawan for medical treatment to Dr. RML Hospital, where Ricky and Pawan refused to get their MLCs prepared. In the hospital, they also found Anuj and his companions Ankush, Karan, Sonu, Ramesh, R. Murgan, Gaurav and Rahul besides another boy taking their treatment. Seeing them, Dheeraj and his friends came out of the hospital and started waiting for the police at gate no.5. Thereafter at about 01:30am, Anuj along with his above named companions came out of the hospital and Ramesh challenged Dheeraj, after which there was exchange of hot words. The boys accompanying the petitioner Gaurav exhorted his companions to assault the other group, on which Ramesh took out a buttoned knife from his pocket, but Dheeraj caught hold of his hand. In the meanwhile, Sonu started beating Vineet and fell him down. At that moment, R. Murgan exhorted Gaurav to kill the boys of the other group, on which Gaurav with the intention to kill Dheeraj gave knife blow which fell on his armpit due to which Ramesh extricated himself and again tried to assault Vineet with knife, which blow fell on neck of Vineet. In the meanwhile, when Deepak tried to intervene,



2026:DHC:4743



Gaurav assaulted Deepak and the knife blow fell on his arm. To save themselves, Dheeraj and his friends started throwing bricks on the other side and fled away.

5. Earlier, the present accused/applicant filed an anticipatory bail application, which was dismissed vide order dated 27.03.2025 by this court, largely for the reason that grant of anticipatory bail in such a blatant assault with use of knife, which assault was captured on CCTV footage also, would send wrong signals across the society. It is thereafter on 07.06.2025 that the accused/applicant was arrested and is in custody since that day.

6. Learned counsel for accused/applicant contends that both groups have compromised the disputes and have already filed a petition for quashing the FIR, which is pending in this court.

7. Learned APP for State opposes the bail application on the ground that the accused/applicant initially absconded and could be arrested only after he was declared Proclaimed Offender. It is also contended that the co-accused Ramesh, who also had inflicted stab injuries, had become Proclaimed Offender and despite efforts could not be arrested. However, as regards efforts done to arrest Ramesh, no specific particulars have been mentioned in the status report despite detailed order dated 11.05.2026.

8. So far as the compromise between the two groups is concerned, it is



2026:DHC:4743



not a simple brawl between two groups at some private place. As reflected from record, the two groups bitterly assaulted each other, that too at a public place.

9. But at the same time, the accused/applicant cannot be kept in jail endlessly. As submitted by both sides, the charges are yet to be framed by the trial court. The accused/applicant is in jail for past almost one year. Since charges are yet to be framed, I would refrain from commenting on the offence made out against the accused/applicant.

10. Considering the above circumstances, the application is allowed and the accused/applicant is directed to be released on bail, subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial court or the duty magistrate. It is specifically directed that the accused/applicant shall not try to contact any person from the rival group, failing which appropriate consequences shall follow.

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

**GIRISH KATHPALIA
(JUDGE)**

MAY 26, 2026/ry

BAIL APPLN. 348/2026

Page 4 of 4 pages