



2025:DHC:2996



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 28.04.2025

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BAIL APPLN. 2931/2024

SANDEEP @ BUNTY

.....Petitioner

Through: Mr. Karan Kapoor, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for the State.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. In furtherance of last order, learned APP, assisted by the Investigating Officer is unable to show any evidence connecting the accused/applicant with the offence alleged.

2. Briefly stated, the accused/applicant suffering incarceration since 01.06.2019 in case FIR No. 487/2018 of PS Bawana for offence under Section 302/120B/34 IPC and Section 25 and 27 Arms Act seeks to be released on regular bail. As observed on last date, the FIR was registered on the statement of son of the deceased, who originally did not name the



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alleged shooter and subsequently, named the co-accused as the shooter. It is on the confessional statement of shooter in custody of the Investigating Officer that the accused/applicant was arrested.

3. As reflected from record, at about 07:30 pm on 26.12.2018 on the basis of telephonic information about a dead body lying at Bawana bus stand, the first Investigating Officer reached the spot and found an unidentified dead body in a pool of blood. From inquiries on the spot, it got revealed that the deceased had suffered bullet injury. The first IO sent the body to the hospital but did not find any eye witness on the spot, so proceeded to the hospital from where he collected MLC of the deceased certifying that the deceased had been brought dead. Since no eye witness was found, the Investigating Officer collected and seized the physical articles of evidence and thereafter got the FIR registered at PS Bawana for offence under Section 302 IPC and Section 25/27 Arms Act. Thereafter, in the course of investigation, Bhavik, son of the deceased Manoj contacted the Investigating Officer and informed that in his presence, his father Manoj was shot dead by Ritik. After his arrest, Ritik in custody of the Investigating Officer named the accused/applicant as one of his accomplices who accompanied him at the time of incident. It is thereafter that the accused/applicant was apprehended and arrested in this case.



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4. Thence, except the confessional statement of Ritik, which was recorded when he was in custody of the Investigating Officer, no other evidence connecting the accused/applicant with the alleged offence has been shown to this Court.

5. Considering the above circumstances, I do not find it a fit case to deprive the accused/applicant liberty any further. Therefore, the application is allowed and it is directed that subject to the accused/applicant furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of Trial Court, the accused/applicant be released on bail. A copy of this order be sent to the Superintendent of the concerned jail for information of the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

APRIL 28, 2025/DR