



2025:DHC:7486



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 29.08.2025*+ **BAIL APPLN. 3298/2025 & CRL.M.A. 25761/2025**

HARI SARAN @ HARIOM .....Petitioner

Through: Mr. M.K. Perwez, Advocate.

versus

THE STATE NCT OF DELHI .....Respondent

Through: Ms. Manjeet Arya, APP for State.

**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 82/2025 of PS Narela Industrial Area for offence under Section 221/132/109(1)/331(4)/305(a)/317(2)/3(5) BNS and 25/27 of Arms Act. Broadly speaking, the allegation against the accused/applicant is that he and his accomplices were committing burglary in a godown and when the police party consisting of five police officers, on getting information, reached the spot, the accused persons fired at the police party, and after exchange of fire, five persons including the accused/applicant were apprehended at the spot, while the remaining assailants fled away.



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2. Learned counsel for accused/applicant submits that he is innocent and was arrested only on disclosure statement of co-accused. It is also contended by learned counsel that since trial will take long time to conclude, it is right of the accused/applicant to be released on bail. It is also argued that three of the accused persons have already been granted regular bail by the Court of Sessions.

3. Learned APP accepts notice and opposes the bail application.

4. The contention of learned counsel for accused/applicant that the accused/applicant was arrested only on disclosure statement is contrary to record in the sense that as per FIR itself, one of the members of the police party, namely HC Deepak had apprehended the accused/applicant on the spot. So far as the time to be taken to conclude the trial, the FIR itself is of the year 2025 only and at this stage, it cannot be said that just because the trial is yet to begin and there are 22 witnesses, the accused/applicant be granted bail. The Court cannot ignore the other judicially sanctified parameters, including the gravity of offence and antecedents. In the present case, as mentioned above, in the course of burglary, on being caught, the accused/applicant and his accomplices exchanged fire with the police party, and the accused/applicant was apprehended at the spot while some of his accomplices fled away. Besides, according to the submissions made on behalf of prosecution before the Court of Sessions, the accused/applicant is involved in 06 more cases of violent nature. So far as the bail granted to



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three of the co-accused persons, those bail orders do not reflect any antecedents of those persons; besides, learned APP submits that prosecution would be contemplating to challenge even those bail orders.

5. Considering the above circumstances, I do not think it is a fit case at this stage to grant bail to the accused/applicant. Therefore, the bail application is dismissed. Pending application stands disposed of. Copy of this order be sent to the concerned Jail Superintendent for conveying the same to the accused/applicant.

**GIRISH KATHPALIA  
(JUDGE)**

**AUGUST 29, 2025/ry**