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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 28.07.2025*+ **BAIL APPLN. 1301/2025**

RAVINDER @ RAVI

.....Petitioner

Through: Mr. Gaurav Sharma  
(DHCLSC)

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP for the  
State**CORAM:****HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J. (ORAL)**

1. By way of this application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 166/2021, registered at Police Station Wazirabad, Delhi for the commission of offence punishable under Section 302/201 of the Indian Penal Code (hereafter 'IPC').

2. Brief facts of the case, as per the Status Report filed by the State, are as that on 05.04.2021, a PCR call *vide* DD No. 7-A was received regarding a male dead body lying in front of the Bio-Diversity Park, Gali No. 10, B Block, Baba Colony. The call was assigned to SI Ved Prakash, who upon reaching the spot, found the



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body of a male, about 35 years old, lying in the bushes with his head and face soaked in blood. A tattoo with the word 'Sonu' was visible on his right wrist. Blood drag marks were found nearby, along with a blood-stained brick. Based on the condition of the body and the scene, the present FIR for commission of offence under Sections 302/201 of IPC was registered.

3. During the investigation, the scooter belonging to the deceased Sonu @ Baba, which he had taken from home the previous night, was found abandoned outside a flat in Gali No. 4, Baba Colony, with its number plate removed. Enquiries with locals yielded no leads. However, CCTV footage from the area showed a person arriving at 08:43 AM on 05.04.2021 on the said scooter and leaving shortly thereafter, without it. Through local informers, the suspect seen in the footage was identified as the present applicant Ravinder @ Ravi, a resident of Pradhan Enclave, Burari. It was revealed that the deceased owned a house in Pradhan Enclave which had been rented by Ravi and his family. Subsequently, it was found that Ravi had vacated the house and left the area.

4. During local inquiries, a neighbour, Raju @ Rajan, had identified the applicant Ravi from the CCTV footage and had stated that around 3:00 AM on the night of 04/05.04.2021, Ravi's wife had called him (as confirmed by the CDR) asking him to come outside. There, he had seen the deceased, allegedly intoxicated, arguing with Ravi's wife and brother, demanding that they vacate the house. Shortly thereafter, Ravi had arrived on the deceased's scooter. His



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wife had then alleged that Sonu had earlier gone upstairs and had misbehaved with her in Ravi's absence. Sonu had then left on his scooter, and Ravi had followed him on foot toward the Pushta road. He had later returned on the same scooter, visibly disturbed, and had told his family that he had fought with Sonu and injured him. Fearing reprisal from the local community, they had fled the area. It is stated that the CCTV footage corroborated this sequence: Sonu was seen riding out at 2:28 AM; Ravi entered the lane at 3:13 AM; Sonu headed toward the Pushta road at 3:14 AM; Ravi was running after him at 3:50 AM; and had returned on the scooter at 4:07 AM. At 4:20 AM, Ravi had left with his family on the same scooter. Later that day, he was also seen loading belongings into a tempo.

5. Upon his arrest on 07.04.2021, Ravi disclosed that Sonu had allegedly misbehaved with his wife and, when confronted near the Biodiversity Park, had made an obscene proposal regarding his wife. A scuffle had ensued, during which Ravi had killed Sonu. He had then returned on the scooter, removed its number plate, and discarded it. During investigation, the number plate of the scooter (DL8S CW 1497) was recovered and seized. Additional CCTV footage showed the deceased leaving his street on the scooter at 02:07 AM, and entering the Bio-Diversity Park at 03:35 AM. The scooter is seen exiting the park at around 03:40 AM, heading back toward the direction of the accused's house. After completion of investigation, chargesheet was filed against the present applicant, and charges were framed against him by the learned Trial Court.



6. The learned counsel appearing on behalf of the applicant submits that the applicant, aged about 35 years, has been in continuous incarceration for over 4 years and 2 months and is the sole breadwinner for his family, which comprises his wife, two minor children, mother, and step-father. It is contended that out of the 33 prosecution witnesses, only 18 have been examined and discharged so far, and nearly 15 witnesses are yet to be examined. Despite this, the trial has remained stagnant for nearly a year owing to the non-receipt of the FSL report and CCTV footage. It is further argued that apart from the material witnesses Raju and Ranjit, who have not been examined since September 2023, most other material witnesses have already been examined, and the remaining witnesses are only formal in nature. In view of the prolonged delay in the completion of prosecution evidence, particularly due to factors beyond the applicant's control, it is urged that continued incarceration would serve no useful purpose and that the applicant may be released on regular bail.

7. The learned APP for the State opposes the grant of bail and submits that the CCTV footage on record clearly establishes the active involvement of the applicant in the murder of the deceased. It is further pointed out that the rear number plate of the deceased's scooter was recovered at the instance of the applicant, which corroborates his role in the concealment of evidence. It is also argued that the applicant was last seen running after the deceased following a verbal altercation between them, as captured in CCTV footage. It is



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further contended that the CDR records substantiate the calls made by the applicant's wife to the witness Raju @ Rajan during the said altercation, as well as a subsequent call between the applicant's wife and the wife of witness Raju @ Rajan to inquire about the whereabouts of the deceased. These circumstances, taken together, indicate the applicant's involvement in the offence and the crucial nature of evidence yet to be brought on record. Thus, it is prayed that the present bail application be dismissed.

8. This Court has **heard** the rival submissions and perused the material placed on record.

9. The allegations against the applicant pertain to the serious and heinous offence of murder of the deceased, and the material collected during investigation *prima facie* reflects his active role in the commission of the offence. The CCTV footage collected during the investigation indicates that the applicant had been following the deceased on foot towards the Pushta road shortly after a verbal altercation between them, and is later seen returning on the deceased's scooter. Notably, the number plate of the scooter was found to be missing when it was discovered, and was subsequently recovered at the instance of the applicant, in the presence of police and a public witness, which lends credence to the prosecution's case version and points towards an attempt to conceal identity of the vehicle involved.

10. Furthermore, the applicant, in his disclosure statement, has admitted to having had a confrontation with the deceased and causing



injuries which allegedly led to the latter's death. Although the statement itself may not be admissible in evidence, it has led to the recovery of incriminating material, such as the scooter's number plate, which is relevant and admissible in law.

11. The testimony of PW-3, the doctor who conducted the post-mortem examination of the deceased, reveals that there were about 13 external injuries on the body of the deceased, with corresponding internal injuries. The cause of death was opined to be cranio-cerebral damage resulting from blunt force impact to the head, which was sufficient in the ordinary course of nature to cause death. All injuries were found to be ante-mortem and fresh at the time of death.

12. The crucial independent witnesses, who had identified the applicant in the CCTV footage and informed the wife of the deceased that the present applicant had quarrelled with the deceased, are yet to be examined before the learned Trial Court. The possibility of threatening or influencing these witnesses cannot be ruled out.

13. However, it is also a matter of record that the FSL report has not yet been filed, despite repeated directions (about eight) issued by the learned Trial Court. Delay on part of the FSL, however, cannot be the sole ground to enlarge the applicant on bail in the circumstances such as the present one, i.e. in a case involving grave charges of murder, especially when the evidence already on record strongly points towards his involvement in the alleged offence.

14. But given the prolonged delay in submission of the FSL report, and since the applicant has been in judicial custody for more than



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four years, this Court deems it necessary to direct the Director, FSL, to ensure that the report is handed over to the Investigating Officer within two weeks from the date of receipt of this order so that the trial may proceed without any further impediment. The I.O. shall forward a copy of this order to the Director, FSL forthwith.

15. Thus, considering the aforesaid facts and circumstances, this Court finds no reason to grant bail to the applicant at this stage.

16. With the above directions, the present bail application is dismissed.

17. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

18. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**JULY 28, 2025/ns**