



2026:DHC:5461



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

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Date of Decision: 08.07.2026

+ **BAIL APPLN. 1721/2026**

PANKAJ KUMAR @ BAUWA

.....Petitioner

Through: Ms. Sonali Bhatia, Mr. Arvind Chauhan and Mr. Sandeep Chauhan, Advocates.

versus

THE STATE(N.C.T) OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State with Inspector Shiv Ram.

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 128/2017 of Police Station Dabri for offence under Section 302/34 IPC and Section 25/27/54/59 Arms Act.
2. IO/Inspector Shiv Ram has appeared only after hearing commenced, but he is not aware about anything in the matter. Despite repeated queries, the IO is not able to disclose as to how many public witnesses remain to be examined and what is the role of each of those remaining public witnesses.



Learned counsel for accused/applicant submits that all eye witnesses stand examined in trial court and now only formal public witnesses remain.

3. Learned counsel for accused/applicant submits that the co-accused Kapil Sharma, who had allegedly fired the fatal shot, has been granted bail, on the ground that he is suffering from paraplegia, while the accused who was allegedly driving the motorcycle at the time of the alleged shooting has not been arrested till date. The role assigned to the present accused/applicant is that he was sitting as a pillion rider on the motorcycle between the driver and the alleged shooter.

4. It is also submitted by learned counsel that the accused/applicant is in custody for past nine years and till date only nine out of twenty five prosecution witnesses have been examined by the trial court.

5. Keeping in mind the above circumstances, especially role attributed to the present accused/applicant, and the snail pace of trial, complete lack of interest on the part of investigating agency, coupled with prolonged incarceration of the accused/applicant, I find no reason to further deprive liberty to the accused/applicant.

6. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction



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of the Trial Court.

7. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH
KATHPALIA**

Digitally signed by GIRISH KATHPALIA
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**GIRISH KATHPALIA
(JUDGE)**

JULY 08, 2026/dr