

SC 436/2021
STATE Vs. SUSHIL KUMAR ETC (13)
FIR No. 218/2021
PS Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34
IPC & U/s 25(1)(B)/27(1)Arms Act

06.02.2026

File taken up today on an application U/s.483 BNSS for grant of bail moved on behalf of applicant/accused **Sushil Kumar**.

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.
Ms. Joshini Tuli (**through VC**), Ms. Taniya Qureshi,
Ms. Shrishti Panday & Ms. Anand Devi, Ld.
Counsels for father of deceased.
Sh. R. S. Malik, Sh. Rajbir Malik, Sh. Sahil Malik,
Sh. Lalit Rana, Sh. Ayush Khatri, Sh. Prince Kumar,
Sh. Ajay Malik, Ms. Tanisha Malik, Ms. Mamta and
Sh. Chetan Ld. Counsels for applicant/accused.

Reply to the above said application has been filed by IO. Same is taken on record. Copy of the same supplied to Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused submits that applicant/accused is in JC since 23.05.2021 and he has been falsely implicated in the present case. It is further submitted that the very basis of which the regular bail of the applicant/accused was cancelled by the Hon'ble Apex Court no longer survives, in as much as all the material public witnesses have since been examined. It is further submitted that total of 222 prosecution witness cited by the prosecution, including the supplementary chargesheets, 42 material public witnesses, including the injured

continued to page no. 2

SC 436/2021
STATE Vs. SUSHIL KUMAR ETC (13)
FIR No. 218/2021
PS Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34
IPC & U/s 25(1)(B)/27(1)Arms Act

have already been examined and none of the said witnesses has supported the case of the prosecution in any manner, whatsoever, nor have they attributed any overt act or specific role to the applicant/accused. It is further submitted that witnesses yet to be examined in the present case are predominantly formal witnesses, including but not limited to police officials, the nodal officer and medical witnesses such as doctors, whose testimonies are largely procedural and documentary in nature. It is argued that applicant/accused is wrestler of international repute with impeccable credentials and he is a silver medalist in Beijing Olympics. It is further submitted that trial is likely to take several years to reach its conclusion as names of 222 witnesses have been cited in the main charge-sheet as well as in supplementary chargesheet. It is argued that applicant/accused has been granted interim bail on various occasions, however, he never misused the liberty and has always surrendered before the Court without fail, therefore, he is not likely to abscond. It is further submitted that no fruitful purpose would be served to keep the applicant/accused behind the bars. It is further submitted that no application of applicant/accused is pending either before any other Court including Superior Courts. It is prayed that above said

SC 436/2021
STATE Vs. SUSHIL KUMAR ETC (13)
FIR No. 218/2021
PS Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34
IPC & U/s 25(1)(B)/27(1)Arms Act
application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the bail application with the assistance of Ld. Counsel for complainant and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

Perusal of the record shows that vide order dated 15.10.2022, charges for the offences U/s. 302/ 307/ 308/ 364/ 365/452/323/342/188/269/147/148/149/506(II)/392/394/397/411/ 201/109/120B/34 IPC & U/s 25(1)(B)/27(1)Arms Act have been framed against applicant/accused and his co-accused persons and the present case is at the stage of recording of prosecution evidence. In the present case PW-1 Sh. Sonu @ Jai Bhagwan has correctly identified applicant/accused **Sushil Kumar** and he has narrated the incident frame by frame in his examination-in-chief. It is true that PW-1 has turned hostile in his cross-examination, however, the facts deposed by him cannot be overlooked.

SC 436/2021
STATE Vs. SUSHIL KUMAR ETC (13)
FIR No. 218/2021
PS Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34
IPC & U/s 25(1)(B)/27(1)Arms Act

Further, it is not the stage when appreciation of evidence can be done. It is also important to mention that in the present case vide order dated 13.08.2025, Hon'ble Supreme Court of India had cancelled the bail granted to applicant/accused **Sushil Kumar** and while passing the aforementioned order, various observations were made by Hon'ble Supreme Court of India such as conduct of applicant/accused **Sushil Kumar** prior to his arrest, video recording of the incident in question allegedly depicting accused attacking the injured persons with deadly weapons as well as societal impact upon the release of applicant/accused **Sushil Kumar**. It is further important to mention that many other material witnesses are yet to be examined and possibility of influencing of such material witnesses by applicant/accused **Sushil Kumar** cannot be ruled out.

Keeping in view of above discussion as well as in view of the seriousness of allegations leveled against applicant/accused **Sushil Kumar** and particularly in view of the fact that bail application of applicant/accused **Sushil Kumar** was cancelled by Hon'ble Supreme Court of India vide order dated 13.08.2025, this Court is not inclined to allow the bail application filed by applicant/accused **Sushil Kumar**. Same is dismissed, accordingly.

SC 436/2021
STATE Vs. SUSHIL KUMAR ETC (13)
FIR No. 218/2021
PS Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34
IPC & U/s 25(1)(B)/27(1)Arms Act

Nothing stated herein shall tantamount to any expression of opinion the merits of the case. **Copy of order be given dasti to the applicant/accused.** The present bail application along with the proceedings be tagged along with main case file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
06.02.2026