



CNR No. DLCT01-018233-2021

IA No. 03/2024

SC No. 750/2021

State Vs. Kamal Shukla

FIR No. 775/2021

PS Burari

U/s. 302 IPC

**INTERIM BAIL APPLICATION OF APPLICANT KAMAL
SHUKLA SON OF SH. RAMESH CHAND SHUKLA**

14th May, 2024

Present: Sh. A.B. Asthana, Ld. Addl. PP for State.
Sh. Ansar Ahmad, Id. Counsel for applicant/accused
through V.C.

1. Reply filed. Copy supplied.
2. This is an application filed on behalf of the applicant/accused Kamal Shukla (hereinafter referred to as applicant) for grant of interim bail.
3. It is argued that the applicant is in J.C. since 18.09.2021. It is further argued that the applicant has been falsely implicated in this case at the instance of police and family members of deceased without any rhyme and reason and without any conclusive proof. It is further argued that the applicant has no concern with the deceased. It is further argued that the public witnesses namely Naresh and Sanib are not eye witnesses of this case. It is further argued that the applicant was not present at the spot. It is further argued that the applicant was never involved in any other case and no single FIR ever has been lodged against him. It is further argued that the applicant has filed the present

application on the ground of operation of his wife. It is further argued that the wife of the applicant is suffering from Gall Bladder of 16 MM size and she is suffering from acute pain and the doctors of Dr. BSA Hospital has suggested to operate the same on 09.04.2024 and the same could not be conducted as there was no one to take care of her and now the same is scheduled for 14.05.2024 and the presence of the applicant is must. It is further argued that the applicant has clean antecedents. It is prayed that the applicant be released on interim bail for a period of 30 days for the purpose of taking care of his wife.

4. Application has been opposed by the Id. Addl. PP for State on the ground that the allegations against the applicant are serious in nature. It is submitted by the IO in the reply that the family of the applicant consists of father aged about 55 years, mother aged about 53 years, brother in-law namely Raman aged about 28 years with his wife and three children. It is further submitted that in addition to above, two sisters in-law are also residing in the nearby locality and who regularly look after the wife of the applicant and assist her at odd hours too. It is prayed that interim bail application of the applicant may be dismissed.
5. Arguments heard.
6. The allegations against the applicant are of heinous offence of murder. The present application for interim bail has been filed for looking after the wife of the applicant who has been given the date of admission for surgery as

14.05.2024. The IO has replied by his written reply that the concerned doctor has not opined as to whether the surgery is optional or compulsory. It is further submitted by the IO that the wife of the applicant is residing alongwith her in-laws family in the same premises and that the two sister in-laws are also residing in the nearby locality who can look after and assist the wife of the applicant. Though the applicant has mentioned in the application that there is no one to look after his wife, however, it has not been disclosed who all are there in the family of the applicant or in the paternal family of the wife of the applicant.

7. The allegations against the applicant are of serious and grave nature. Considering the overall facts and circumstances, this Court is not inclined to grant interim bail to the applicant.
8. Application of the applicant Kamal Shukla for grant of interim bail is accordingly dismissed.
9. Application stands disposed of.
10. Copy of this order be given dasti to the IO as well as Counsel for the applicant.
11. Soft as well as hard copy of this order be sent to the concerned Jail Superintendent for information and necessary action.

(SUSHIL ANUJ TYAGI)
ASJ-04/Central/Delhi
14.05.2024_(VR)