

State Vs Mauzzam etc.
FIR no.548/13
PS Seelampur

17.05.2018

Present: Sh.Zenul Abedeen, Ld.Addl.PP for the State.
Ld.Counsel for accused/applicant.

Today case is fixed for orders on application moved on behalf of accused Dawood @ Faisal.

Heard. Record perused.

It is alleged in the FIR that on 08.12.2013 at about 9.30 p.m.near Seelampur Chowk, accused alongwith co-accused in furtherance of their common intention had an altercation with complainant Mohd.Mumtaz and had given beatings to nephew of Mumtaz. It is further alleged that co-accused took out the pistol and fired at Jeeshan and Rameez which resulted in death of Jeeshan.

Ld.Counsel for the accused/applicant has submitted that accused has been falsely implicated in this case. Accused has neither been previously involved in any case nor he has been convicted in any criminal case. It is argued that all the material witnesses have been examined in chief. Since there are large number of material witnesses and other witnesses, the trial is likely to take sufficient time to complete. Accused has been running in JC since 25.03.2014. It is, therefore, prayed that accused be released on bail.

On the other hand, Ld.Addl.PP for the State has opposed the bail application stating that offence is serious in nature. It is argued that one country made pistol with 3 live cartridges were recovered from

the possession of accused Dawood @ Faisal. All the material witnesses are yet to be cross examined. It is, therefore, prayed that bail application of accused be dismissed.

Without commenting upon the merits of the case , considering the nature, gravity and seriousness of offence coupled with the fact that the material witnesses are yet to be cross examined, I am not inclined to grant bail to the accused/applicant. Application is accordingly, dismissed. Copy dasti.

Put up for PE on 17.07.2018, the date already fixed.

(LALIT KUMAR)
ASJ-03(NE)/ KKD/17.05.2018