

SC no.99/2023

State Vs. Mohd. Shakir Ali and Ors.

FIR No.712/2022

PS Dayalpur

u/Sec. 365/302/201/34 IPC & 25/27 Arms Act

10.04.2024

File is taken up today on an application for grant of interim bail for twenty five days to applicant/accused Faizan on the ground of sickness of his mother.

Present: Sh. Masood Ahmed, Ld. Chief P. P for the State.
Sh. Yakub Raza, Advocate for the applicant/accused Faizan.

Arguments on interim bail application of applicant/accused Faizan heard.

It is stated in the application that the mother of applicant/accused Faizan is suffering from heart disease and liver infection for the last two years and she is taking treatment from TMU Hospital, Delhi Road, Moradabad, Uttar Pradesh. It is stated that the presence of the applicant is required to look after his mother.

The application is strongly opposed by learned Chief Public Prosecutor for the State. It is submitted by learned Chief Public Prosecutor that applicant/accused Faizan is facing trial for commission of grave offences under Sections 302/365/201/34 IPC and 27 Arms Act. Learned Chief Public Prosecutor also submitted that brother and sister of the applicant/accused Faizan are available to look after his mother.

Perusal of record shows that earlier bail application of this accused was dismissed vide order dated 16.11.2023 passed by my learned Predecessor. Prosecution has already examined twenty eight witnesses out of thirty one witnesses. Perusal of record also shows that earlier this accused had moved an application under provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 for conducting an inquiry into his juvenility which was subsequently withdrawn by him on 27.03.2024. The applicant/accused is facing trial for alleged commission of offences punishable under Sections 302/365/201/34 IPC and 27 Arms Act. Medical documents of his mother filed by applicant/accused Faizan along with present application have been perused.

In view of above and considering the gravity of alleged offences, no case is made out for granting interim bail to applicant/accused Faizan. Application stands dismissed.

(SARITA BIRBAL)
Principal District & Sessions Judge
North-East, Karkardooma Courts,
Delhi/10.04.2024