

SC 268/2025
STATE VS. UBAISH BEG AND ORS.
FIR NO.766/2024
PS KRISHNA NAGAR

29.11.2025

-:ORDER:-

1. Vide this common order, I shall dispose of three separate applications filed on behalf of applicants/accused Imran Khan, Nahid Khan and Pappu @ Mohd. Sakeel, under Section 482 of BNSS (under Section 438 of Cr.PC) for seeking anticipatory bail in the present case.
2. It is submitted that the main accused persons namely Ubaish Beg, Javed, Shavej and Juber have already been granted regular bail, and co-accused Akeel has also been granted anticipatory bail by Ld. Predecessor of this court vide order dated 18.10.2025 and hence, on the ground of parity the applicants/accused are also entitled to be granted anticipatory bail.
3. It is further submitted that the applicants/accused persons, main four accused persons namely Ubaish Beg, Javed, Shavej and Juber, and complainant Mohd. Abdul Mannan Haider are related/known to each other, as applicant/accused Imran is brother-in-law (*sadhu*) of complainant and applicant/accused Nahid Khan and Pappu @ Mohd Sakeel are cousin brothers-in-law of the complainant. At the time of the incident, the applicants/accused were trying to pacify the main accused persons and the complainant being their relatives, and had

no motive to cause any harm to the complainant, as alleged. Even otherwise talks for settlement are going on between the parties and the matter is at the verge of settlement.

4. It is further stated that although the complainant and the present applicants are relatives and known to each other, yet the complainant in his complaint has not specifically named the present applicants/accused, rather he has mentioned 'unknown persons' being involved in the crime. The police officials on the basis of such reference to 'unknown persons' and mere suspicion are now proceeding against the applicants and as such they are apprehending their arrest. Ld. Counsel stated that as it is a settled law that bail is rule and jail is an exception, this is a fit case for granting anticipatory bail to the applicant/accused persons.
5. Per contra, the bail applications are vehemently opposed by Ld. Addl. PP for the State. He stated that in CCTV footage just after the incident and photographs taken from the CCTV footage, accused Pappu and Nahid can be seen carrying *dandas* in their hands whereas accused Imran is visible as part of the crowd following behind the complainant, which shows their common intention to kill the complainant.
6. It is further stated that applicants/accused are are not joining the investigation despite issuance of notices by the IO and deliberately absconding themselves and there is apprehension that they may disappear or tamper with the

evidence or may induce or threat the complainant or witnesses of the present case. He has thus prayed for dismissal of the bail applications.

7. Reply filed by the IO as well as the CCTV footage and the photographs captured from CCTV footage and filed by the State, seen.
8. Succinctly, the facts of the case as per the chargesheet are that the present FIR was registered on the basis of the statement of complainant Mohd. Abdul Mannan Haider given to police on 17.12.2024, wherein he alleged that on 17.12.2024 at about 7:30 pm, four accused persons namely Ubaish Beg, Shahvej, Javed and Juber, along with their friends/associates, came inside his House No. 551, Gali No. 10, West Kanti Nagar, Delhi and started abusing him stating as to why he had given “teen talaq” to their sister Subhi, and then started hitting him with iron rods and sticks/dandas brought with them. When the friends of the complainant, namely Mukim and Talib intervened, they also beaten them with rods and *dandas*.
9. After completion of investigation, chargesheet sheet was filed in the court qua aforesaid main four accused persons namely Ubaish Beg, Shahvej, Javed and Juber. Charge under Section 109(1)/351/(2)/3(5) of BNS was framed against the aforesaid four accused persons. After framing of charge, all the four accused persons have been granted regular bail by Ld. Predecessor of this court. Time was sought by the IO for filing supplementary chargesheet qua

the remaining/absconding accused persons. In between, co-accused Akeel Khan moved an application seeking anticipatory bail, which was granted vide order dated 18.10.2025 by Ld. Predecessor of this court.

10. In the CCTV footage, stated to be just after the incident, the three applicants/accused Pappu, Nahid and Imran alongwith a group of boys can be seen following the complainant. In the photographs captured from the CCTV footage, accused Pappu and Nahid can be clearly seen having *dandas* in their hands and following the complainant which shows their common intention to commit murder of complainant Mohd. Abdul Mannan Haider. Their conduct as reflected in the footage contradicts their plea of having no role or motive to cause harm to the complainant or that their case is at parity with accused Akeel who has already been granted anticipatory bail as he was only found seen standing at the place of incident.

11. In view of the specific incriminating material against accused Pappu and Nahid and their non-participation in police investigation, I am not inclined to grant anticipatory bail to them. Hence, the bail applications of applicant/accused Pappu and Nahid are dismissed and they are directed to join investigation of the present case.

12. So far as applicant/accused Imran is concerned, in the CCTV footage and the photographs relied upon by the State, accused Imran is not seen carrying any danda or any

weapon. No specific role has been assigned to him except his presence at the spot. Accordingly, his case is at parity with accused Akeel who has been granted anticipatory bail vide order dated 18.10.2025.

13. In view of the above facts and circumstances of the case, applicant/accused Imran is admitted to anticipatory bail and accordingly in the event of his arrest, he be admitted on bail by the SHO/IO concerned on furnishing personal bond in a sum of Rs.15,000/- with one surety of like amount. Anticipatory bail order will be applicable till the filing of final report and thereafter the court may consider the regular bail and this order will be subject to the following conditions:-

- i. Applicant/accused Imran will provide his mobile number and present permanent residential address to the IO within next 2-3 days.
- ii. Applicant/accused will join the investigation as and when required by the IO.
- iii. Applicant/accused will not leave the territory of NCT of Delhi without permission of this court.
- iv. Applicant/accused will not contact any of the prosecution witnesses directly or indirectly and will not make any effort to tamper with evidence.

14. Anticipatory bail applications stands disposed of as above.

15. Copy of the order be sent to the SHO concerned for compliance of the directions.

(SUKHVINDER KAUR)
Principal District & Sessions Judge
East District, KKD Delhi/29.11.2025