

IA No. 62/23
SC No. 144/19
State Vs. Amit @ Sachin
FIR No. 37/19
PS: Dayalpur
U/s 302/120B/34 IPC

04.05.2023

Present: Sh. Sukhbeer Singh, Ld. Addl. PP for the State.
Sh. Manish Kumar Singh, Ld. Counsel for accused
Amit @ Sachin.
Deputed IO/ Insp. Karambir Singh as the main IO is
stated to be on leave.

1. The matter is fixed for hearing arguments on the
application for grant of bail filed by applicant/accused Amit @
Sachin.

2. I have heard the counsels for the parties.

3. Sh. Manish Kumar Singh, Ld. counsel for the
applicant/accused has submitted that the accused/applicant has
been falsely implicated in the present case and he has nothing to
do with the offences alleged to have been committed by this
applicant/accused and other co-accused who have been attributed
gun shot injuries were granted bail and accused Afzal Ahmad @
Chhote who was named in the FIR was granted bail on
26.04.2023 and submitted that it is alleged by the prosecution
that this applicant/ accused Amit @ Sachin was doing recce and
giving information to the accused Kamaljeet regarding every
moment of deceased and submitted that the SIM of the phone
alleged to have used by Kamaljeet stands in the name of Anjali
Chopra and IO has failed to record the statement Anjali Chopra

and submitted that since this accused was arrested on dated 05.02.2019 and thereafter he was granted interim bail in the month of March 2021 and since then he remained on interim bail till 06.04.2023 and there is no complaint of misuse of liberty of bail by this accused. He has also submitted that no fruitful purpose will be served by keeping the accused/applicant in custody for any longer and prayed for grant of bail.

4. On the other hand, Sh. Sukhbeer Singh, the Ld. Addl. PP for the State has vehemently opposed this application and submitted that this accused was doing recce and giving information to accused Kamaljeet regarding every moment of the deceased and he has committed the offence punishable under section 120B/302 of IPC and prayed for the dismissal of this application.

5. I have given thoughtful consideration to the submissions made by the Ld. Counsels for the parties and perused the record.

6. The perusal of the record reveals that since it is alleged by the prosecution that the accused Amit @ Sachin was doing recce and giving information to the accused Kamaljeet regarding the deceased prior to the commission of the murder of the deceased. He is alleged to have committed offence punishable u/s 120-B/302 IPC. Since this accused was arrested on dated 05.04.2019 and thereafter he was granted interim bail in the month of March 2021 and since then he remained on interim bail till 06.04.2023 and there is no complaint of misuse of liberty

by this accused. The co-accused who are attributed gun shot injuries to the deceased are already on bail, so, this applicant/accused namely **Amit @ Sachin** is also ordered to be released on bail on his furnishing of personal bond in the sum of Rs.50,000/- with one surety of the like amount and subject to the condition that he will not indulge in any criminal activity, he will not tamper with prosecution evidence, he will appear in the court on each and every date in the court, and in case, this accused will violate the condition of this order, the prosecution will be at liberty to move an application for cancellation of bail of this accused. In the above said terms, the application for grant of bail filed by the applicant/accused stands allowed.

7. Dasti copy of order be provided to the parties.
8. Attested copy of this order be sent to the Superintendent of Central Jail, Tihar, for supplying the same to this accused.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/04.05.2023