

SC 366/2022
STATE Vs. BRIJ KANT SINGH@Akash
FIR No. 617/2021
(Khajuri Khas)

12.07.2025

Present: Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Manish Kumar and Sh. Kuldeep, Ld. Counsel
for the complainant.
Sh. Jitender Singh alongwith Amit Baghel, Ld.
Counsel for the accused.

1. This is the bail application filed on behalf of the
accused Brij Kant Singh @ Akash.

2. It is submitted by counsel for the
applicant/accused that as per MLC, deceased was fit but his
statement was not recorded by IO. He was taken to the hospital
again on the next day i.e. 12.08.2021 and he died on the same
day. It is submitted that accused had no prior enmity or motive
to commit the murder of deceased. There is no prior
involvement of accused in any case.

3. It is submitted by counsel for the complainant that
IO had not conducted the fair investigation. It is submitted that
the injured was declared fit for statement on 10.08.2021 but IO
did not record his statement deliberately and favoured the
opposite party.

4. It is submitted that parents of deceased kept on
visiting the office of DCP and after repeated visits, their
statements were recorded after one and a half month. The
investigation was not done fairly. Hence counsel for the

complainant moved an application for further investigation which was allowed thereafter, further investigation was done.

5. It is submitted that video footage was filed by way of supplementary charge sheet wherein deceased could be seen beaten up by accused alongwith another person.

6. I have heard both the sides and gone through the record.

7. Ld. Counsel for accused/applicant submits that there is delay in registration of FIR and statement of injured was not recorded despite opportunity. On the other hand, counsel for complainant submits that IO had favoured the accused and deliberately did not record their statements even after the death of their son. It is also submitted that IO was even suspended pursuant to the orders of Ld. JMFC.

8. What would be the effect of delay in registration of FIR and the reason for it, is to be seen at the appropriate stage.

9. The video footage which was recovered and traced from the mobile of accused was played in the Court few dates back. In the video footage, it could be seen that deceased Pradeep was made completely naked and while he was lying on ground, accused Brijkant with a CCL was giving beatings to him. There are two spectators in the background who were alleged to be untraced. Accused Brijkant is giving beatings to deceased with a dry stem of a tree or bush. Deceased is pleading for help. Needless to say that the third person who made video footage is not directly identifiable.

10. The manner of commission of crime is horrendous. The accused made the deceased completely naked in a public place as could be seen in video footage. There are spectators who are watching this incident but accused had no fear of any spectators and has continued to give beatings to the deceased. This shows the mindset of the accused. The accused knowingly and deliberately committed the crime without any concern for legal consequences. Further, there are 56 different type of injuries on his body which shows the extreme violence and sadistic intent of the accused. Victim was given beatings by making him naked in open place which shows the extreme humiliation and pain victim would have undergone.

11. It was a gruesome murder where victim was tortured in a public place by making him naked by inflicting multiple injuries with different type of weapons and accused deserves no leniency from the Court.

12. In these circumstances, the application for bail is dismissed.

13. Application stands disposed off accordingly.

14. Copy of this order be given dasti as prayed for.

15. Let witness at serial no. 1 and 3 be summoned for the NDOH. IO and MHCM alongwith case property be also summoned for NDOH.

16. Put up for PE on 16.09.2025.

(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
12.07.2025/nk