

## **Satyaveer Singh Vs State**

**In re:-**

**CNR No. DLNE01-004143-2021**

**SC No. 435/2021**

**FIR No. 300/2021**

**PS Karawal Nagar**

**U/s 302/201/34 IPC**

**07.01.2022**

Present: Sh. Pramod Nagar, Ld. Counsel for applicant.  
Sh. Masood Ahmad, Ld. Addl. PP for the State along  
with IO Inspector Rajender Kumar.

The matter is taken up for hearing through video conferencing by Cisco Webex Meeting App in terms of office order No. 896/RG/DHC/2021 dated 30.12.2021 of the Hon'ble High Court of Delhi and order No. 7462-7474/Judl./N-E/KKD/Delhi/2021 dated 31.12.2021 of Learned Principal District and Sessions Judge, North East, Delhi.

It is apprised to the Court that the copy of bail applications being sent to the mail id padcpne@gmail.com are not being served as the messages were bounced with message '*The email account that you tried to reach is over quota.*' ACP Khajuri Khas appearing in the hearing is asked to apprise the official managing the account with o/o DCP, North East so that appropriate steps may be taken in this regard.

Reply to application has been filed through mail. Copy of same has been supplied to Ld. Counsel for applicant as stated. Submissions on the application are heard.

By way of present application, applicant is seeking bail in the present case with the submissions that he is in J/C since 08.07.2021 and he has not committed any alleged offence and has

been falsely implicated in the case at the instance of police. It is submitted that statement of his daughter is procured by the police under threat and she has made her statement u/s 164 Cr.PC under pressure. It is submitted that there are no eye witness of the case and police has made false case against the applicant. It is submitted that applicant is having three minor children and there is no body to look after them. It is submitted that there is no CCTV footage of the incident and all the recoveries made by the police are fabricated and planted upon applicant.

On the other hand, the bail application is opposed by Ld. APP with the submissions that the statement of the daughter of the applicant is given before Ld. Magistrate on Oath and whether the statement is voluntary or is given under pressure is matter of trial thus the statement made on oath cannot be disbelieved by the Court while dealing with the bail application. It is further submitted that as per record, the deceased was seen with the daughter of applicant by his wife and the status of the wife is not explained by the IO either of the accused or of the witness.

The IO stated that wife of the applicant was interrogated and supplementary chargesheet will be filed in this regard before the Court. In respect of CCTV footage, it is stated by IO that in the CCTV footage, one motorcycle is visible and report from the FSL is pending on the CCTV footage. It is stated that statement by the daughter of the applicant was given before Ld. MM voluntarily as no pressure was put upon the witness nor witness has complained about any pressure put upon her by police during the investigation of the case to get her statement.

The statement of the witness recorded u/s 164 Cr.PC cannot be disbelieved at this stage. As per the statement, a prima

facie case is made out against the applicant about giving beatings to the deceased and as per the opinion of the doctor, the injuries were sufficient to cause the death. In the circumstances, I am of the view that no case is made out to admit the applicant on bail as such application is dismissed.

Copy of the order be provided to the parties and be sent to the Superintendent Jail for information.

**(SUNIL CHAUDHARY)**  
**Special Judge (NDPS)/ASJ**  
**North East/ Delhi 07.01.2022**