

IA No. 07/2020
SC No. 417/18
FIR No. 375/18
PS: Gokal Puri
State Vs. Rahis Ahmad & Ors.

28.01.2020

File taken up today on an application for grant of bail moved on behalf of accused/applicant Rahis Ahmed @ Sahil.

Present: Ms Sushma Badhwar, Ld. Addl. PP for the State.
Ms. Sunil Tiwari, Ld. Counsel for applicant.
Inspector Jagdish Yadav in person.

Reply to the bail application filed.
Submissions on application heard.

1. In the present case, the applicant is facing trial of the charge punishable for the offence u/s 302/34 IPC on the allegations that he with his co-accused committed the murder of Neeta Pal @ Pooja with whom, he was residing in live-in relationship as he wanted to grab her property. The applicant is seeking bail in the case on the ground that he has no concern or connection with the alleged offence and has been falsely implicated and in custody since 04.08.2018. It is stated that case of the prosecution is based on circumstantial evidence and there is no link/chain and the chain is missing in the case. It is submitted that 53 witnesses are to be examined by the prosecution and the prosecution has examined only eight witnesses and the trial will take very long time to complete. It is claimed that applicant has clean antecedent and no purpose would be served by keeping the applicant in the custody.

2. On the other hand, the bail application is opposed by Ld. Addl. PP for State stating that the neighbours of the deceased have deposed that applicant was residing with the deceased and they have seen him for the last time in the company of deceased. It is submitted that it is the applicant who was in touch with the deceased telephonically on the day of death of

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deceased and the circumstances are indicating his involvement. It is submitted that property documents pertaining to the house of the deceased have been recovered from the possession of one Sadik to whom the same were given by co-accused Abid. It is submitted that the said documents were removed by co-accused in connivance of the applicant and the release of the applicant on bail may affect the trial as the public witnesses are yet to be examined and there is every possibility that they will be threatened and will be contacted to turn hostile in the matter by the applicant.

3. After going through the chargesheet and the statement of the witnesses recorded so far and that the case is now fixed for three consecutive dates i.e. 17.02.2020, 18.02.2020 and 19.02.2020 for which 15 witnesses have been summoned, I am of the view that there is no delay in the trial of prosecution and even agree with the contention of Ld. Addl. PP for State that release of applicant may hamper the trial and the applicant may threaten the public witnesses and as such application is dismissed at this stage.

4. Copy of this order be given dasti to Ld. Counsel for applicant.
Put up on date already fixed for purpose fixed.

(Sunil Chaudhary)
Special Judge (NDPS)/ASJ
North-East/KKD/Delhi/28.01.2020