

IA No. 4/2026 in SC No. 19/2024
Md. Irshad @ Narela Vs. State
FIR No. 628/2023
PS Alipur
U/s. 302/201/34 IPC

07.05.2026

This is an application under Section 483 BNSS for grant of regular bail moved on behalf of the accused / applicant namely Md. Irshad @ Narela.

Present: Dr. Sarita Rani, Ld. Addl. PP for the State.
None for the accused / applicant.

Arguments have already been heard.

1. It was argued by Ld. Counsel for the applicant/accused that accused has been running in JC since 09.09.2023 and has been falsely implicated in the present case. It was further argued that the present case is based only on circumstantial evidence and there is no direct ocular evidence connecting the accused with the alleged offence. It has been further argued that the prosecution's case has suffered a serious dent inasmuch as PW Anil Sharma and PW Mohd. Atiullah had already turned hostile, who were the witnesses of last scene theory. It was further argued that accused was not present at the spot, rather, he was at his work place and there is no corroborate evidence such as CCTV footage and scientific evidence. It is further argued that no purpose would be served to keep the accused in custody. That accused is ready to abide by all the terms and conditions. It is prayed that a lenient view be taken.

2. On the other hand, Ld. Addl. PP for the State vehemently opposed the bail application and argued that allegations against the applicant are serious in nature and if applicant is released on bail, he may threaten the witnesses and he may also jump the bail and prayer is made for dismissal of the bail application.

3. I have heard the Ld. Addl. PP for State and Ld. Counsel for applicant/accused as well as perused the report filed by the IO.

4. As per report filed by the IO, it was reported that on the basis of Dinesh's disclosure, accused Mohd. Irshad @ Narela was apprehended near Civic Centre, Ajmeri Gate. During interrogation, he disclosed that the deceased had threatened to take back to financial distress following his sister's marriage, he, in gree and anger, strangulated Ajay with the help of Dinesh. It was further stated that during police custody remand, Irshad led the police to the spot near Gate no. 2, where he had strangulated the deceased, and to Kirti Nagar, where he had purchased a T-shirt and lower from Swaminath Shah, who confirmed the purchase at 09.45 p.m., and further to the Mukmelpur drain where the body had been dumped. Further, it was stated that at the instance of accused Irshad, an empty 375 ml Royal Gree Liquor bottle was recovered from the road cut near the drain, and chance prints were lifted by the crime tea.

Further, as stated by the Ld. Counsel for the accused / applicant that the present case is based on circumstantial evidence and testimony of each witness is relevant, in the case in hand, three public witnesses are yet to be examined. There is

every possibility if release he may threaten the said witnesses or jump the bail. The accused / applicant is also involved in other criminal case as per reported by the IO.

The accused / applicant has played an active role in the commission of offence. Moreover, the allegations against the accused / applicant are serious in nature. Considering the grave and serious allegations against the applicant/accused and the active role played by him, no ground for grant of bail is made out at this stage. The application stands dismissed.

Application is disposed off accordingly.

5. ***It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.***

6. Copy of the order be given *dasti* to the Ld. Counsel for the applicant/accused as well as be sent to concerned IO, Ld. Secretary, DLSA (North), through all possible modes, as per rules.

(VANDANA)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
07.05.2026