

IA No. 25/2026 in SC 90/2020
STATE Krishna @ Parveen & Ors.
FIR NO. 757/2019
P.S. S.P. Badli
U/s 302/34 IPC

07.05.2026

**This is an application under Section 483 BNSS
moved on behalf of the accused/applicant namely Vijay.**

Present: Dr. Sarita Rani, Ld. Additional PP for the State.

1. Briefly stated, on 28.10.2019, an information vide DD No.74A from BSA Hospital was received in PS S.P. Badli regarding admission of Vikram S/o Sh.Devender, aged 26 years R/o Shukra Bazar Road, Raja Vihar, Badli, by his brother Bittoo as brought dead. The crime team was called in hospital and got inspected the dead body of deceased Vikram. The statement of Sh.Bittoo was recorded, who stated that on 28.10.2019 at 10.28 P.M., he was present at his house, his friend Virender told him that some boys are quarreling with his brother and Parveen, Pankaj, Gaurav and Kuldeep were beating his brother Vikram. That they ran away after seeing him. He found that the blood was oozing from his brother's mouth and head. Then, he shifted his brother in BSA Hospital with the help of his friend. Further complainant stated in his supplementary statement that the murder of his brother was committed by Krishna @ Parveen Kuldeep, Vijay, Parveen @ Kallu, Pankaj and Anirudh @ Mama @ Gaurav.

2. It was argued by Ld. Counsel for applicant/accused that the applicant/accused is an innocent person and he has been

falsely implicated in the present case. It was further submitted that applicant/accused is in JC since 01.11.2019. It was further argued that public witnesses till date have not supported the case of the prosecution. It was further argued that only four witnesses have been examined till date out of total 30 witnesses cited by the prosecution. It was further argued that name of the applicant/accused has not been mentioned in the main complaint and he has been named in the supplementary statement of the complainant. It was further submitted that the trial would take long time. It is submitted 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.

3. On the other hand, Ld. Addl. PP for the State has vehemently opposed the bail application and argued that allegations against the applicant / accused are serious in nature and earlier bail application of the applicant had been dismissed, hence, prayer is made for dismissal of the bail application.

4. I have heard the Ld. Addl. PP for State and Ld. Counsel for applicant/accused.

5. Ld. Counsel for the accused had vehemently argued that the witnesses examined till today have not supported the case of the prosecution. The question of credibility and reliability of prosecution witnesses can only be tested after the trial and cannot be gone into at the stage of considering a bail application. For this, reliance is placed on the case of *Satish Jaggi Vs. State of*

*Chhattisgarh, decided by Hon'ble Supreme Court on 30.04.2007
in Crl. Appeal 651 of 2007.*

Some of the material witnesses including the complainant are yet to be examined. There is every possibility if released on bail there are chances of influencing or threatening the witnesses including the complainant as complainant/ material witnesses are yet to be examined.

6. Considering the above discussion and keeping in view the totality of the facts and circumstances of the case and gravity of the offence, the bail application stands **dismissed**.

Application stands disposed off.

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

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

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