

SC 504/2024  
STATE Vs. ARSLAN@Monti@Baba  
FIR No. 370/2024  
PS Bhalswa Dairy  
U/s. 302/34 IPC & U/s. 25 Arms Act.

10.11.2025

File taken up today on second bail application U/s. 439 Cr. P. C for grant of regular cum interim bail moved on behalf of applicant/accused **Arslan @ Monti @ Baba.**

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.  
Sh. Shambu Kumar and Sh. Ashok Jaiswal, Ld.  
Counsels for applicant/accused.  
IO/Inspector Paramvir Dahiya in person.

Ld. Counsel for applicant/accused submits that applicant/accused is in JC since 26.04.2024 and he has been falsely implicated in the present case. It is further submitted that the entire allegations made against the above named applicant/accused based on hearsay evidence and no eye witness still finds out who saw the incident. It is further submitted that nothing incriminating whatsoever has been recovered from or at the instance of applicant/accused and alleged recovery if any has been planted. It is further submitted that video footage submitted by the police officials, in which of the three people, only one person of the three persons, shown threatening to some one but the face of the person not clearly visible to identify in the video footage is involved in the said crime/offence. It is further submitted that only on the basis of the complainant statement, the above named applicant/accused is implicated in the present FIR. It is further submitted that investigation of the present case is

Continued to page no. 2

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completed and chargesheet has already been filed. It is further argued that applicant/accused is no more required for further custodial interrogation and no fruitful purpose would be served to keep the applicant/accused behind the bar. It is prayed that above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

Briefly stated, the present FIR bearing no. 370/2024 has been registered at PS Bhalswa Dairy, U/s. 307/302/34. The allegations that applicant/accused are that he alongwith his co-accused persons committed murder of deceased by causing multiple stab injuries. Postmortem examination report of deceased Samir reveals that seven incised wounds were caused to him by sharp single edged cutting/stabbing weapon and injury no. 4 & 5 were sufficient to cause death individually or

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collectively in the ordinary course of nature. As per the case of prosecution, applicant/accused **Arslan @ Monti @ Baba** actively participated in commission of the alleged offences. Further, he has also been identified by eye witness in Test Identification Parade conducted before Ld. M. M. Trial is at initial stage. Material/eye witnesses are yet to be examined and releasing applicant/accused **Arslan @ Monti @ Baba** at this stage may result in threat to eye/material witnesses. It is also important to mention that regular bail application of applicant/accused **Arslan @ Monti @ Baba** was dismissed vide order dated 29.03.2025 and no change of any material circumstance has taken place since the dismissal of the previous bail application.

Keeping in view of the above discussion and also considering the severity and the gravity of offence as well as seriousness of allegations, the present bail application of applicant/accused **Arslan @ Monti @ Baba** is hereby dismissed.

Nothing stated herein shall tantamount to any expression of opinion the merits of the case. Copy of order be given dasti to the concerned parties. The present bail application file be tagged with the main case file.

(Sushil Kumar)  
Addl. Sessions Judge- 04  
North District Rohini Courts Delhi  
10.11.2025