

SC 247/2025
STATE Vs. SHEKH KAYUM AND ORS
FIR No. 853/2024
PS Bhalswa Dairy
U/s.109(1)/3(5) BNS

07.05.2025

File taken up today on an application U/s. 439 Cr. P. C for grant of bail moved on behalf of applicant/accused **Murad @ Imran.**

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.
Sh. S. D. Kaushik, Ld. Counsel for
applicant/accused
IO/ASI Narender Singh in person.

Reply to the above said application has been filed by IO. Same is taken on record. Copy of the same supplied to Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused submits that applicant/accused is in JC since 02.12.2024 and he has been falsely implicated in the present case. It is further submitted that applicant/accused has not committed any offence at all. It is further submitted that investigation of the present case has been completed and chargesheet has already been filed. It is further submitted that 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

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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. 853/2024 has been registered at PS Bhalaswa Dairy U/s. 109(1)/3(5) BNS. It is important to mention that perusal of the FIR itself shows that initially a gun shot injury was caused by complainant to one of the associate of applicant/accused **Murad @ Imran** and a cross FIR bearing no. 850/2024, PS Bhalaswa Dairy was registered against complainant Sadre Alam. Further, applicant/accused is in JC since 02.12.2024 i.e. for a period of 5 months. Recovery has already been effected. No doubt trial shall take time and no useful purpose shall be served by further incarceration of applicant/accused, therefore, it is ordered that applicant/accused **Murad @ Imran** be released on bail on his furnishing personal bond in the sum of **Rs. 35,000/- with one surety** in the like amount **subject to the satisfaction of following conditions:-**

(i) Applicant/accused is directed not to threaten prosecution witnesses in any manner or tamper with evidence or indulge in any other criminal activity in future;

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(ii) Applicant/accused shall not commit similar offences in future. In case, it is prima facie brought to the notice of the Court that the applicant/accused is violating the said conditions, the bail granted to him shall be liable to be cancelled on an application of investigating agency in this regard.

The bail application is disposed of accordingly. Nothing stated wherein shall tantamount to any expression of opinion on the merits of the case. Application stands disposed of. Bail application file be **tagged with the main case file.**

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
07.05.2025