

CNR no. DLNT01-007897-2021
Session Case no. 539/2021
IA No. 2/2021
FIR no. 336/2021
PS-Bhalaswa Dairy
State Vs- Salim @ Imran & another (bail application of
accused Salim @ Imran)
U/s- 307/323/324/341/34 IPC

22.12.2021

File taken up today as an application u/s 439 Cr.P.C for grant of regular bail moved on behalf of accused **Salim @ Imran** is pending.

Present Sh. Sanjay Jindal, Id. Additional. PP for the State.
 Ms. Geeta Bhandari, Id counsel for applicant/accused.
 ASI Ram Narayan, IO of the case is also present.
 Both the injured are also present.

Reply of the bail application filed alongwith previous involvements of the applicant/accused.

Apart from the general grounds for grant of bail, it is further submitted by Id counsel for applicant/accused that families of complainant and applicant/accused are neighbours and they have settled the present matter amicably with each other. She has further submitted that on the ground of compromise the present applicant/accused may be granted bail in this case.

On the other hand Id Additional P.P for State has opposed the bail application and submitted that present applicant/accused caused stab injuries on the vital part of the body of the complainant and compromise is no ground for grant of bail in this case.

On specific query, it is submitted by the injured Devender that although accused persons caused stab injuries on the chest of his brother namely Anuj and also caused injuries to him, but they want to settle the matter

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so that accused does not cause any harm to them whenever he returns back. Subsequently the victim states that he wants to settle the matter as they are neighbours so that in near future cordial relations can be maintained between them.

On query from the IO, it is submitted by him that applicant is B.C of the area and is having previous involvements in many cases.

Heard. Keeping in view the role of the present applicant/accused, in view of the fact that stab injuries were caused on the vital part of the body of the complainant and in view of the fact that although the injured persons are neighbours of the applicant/accused and it is submitted by them that they want to settle the matter to avoid further quarrel, but the said settlement does not seems to have taken place out of their free will and consent and the possibility of avoiding any consequential revenge by the accused later on seems to be the consideration to settle the matter. Hence in view of the nature and gravity of offence and the further considering the large number of previous involvements of the applicant/accused in other cases, I do not find it a fit case for grant of bail at this stage. Accordingly the present bail application is dismissed and disposed of. Copy of order be given dasti to concerned parties. Regular matter be put up on date already fixed i.e **03.03.2022**.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:22/12/2021(M)