

SC 460/2021
STATE Vs. RAJU ETC
FIR No. 596 /2021
PS Jahangir Puri
U/s. 302/120-B/34/201 IPC

20.07.2024

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

Present: Sh. Kumar Sanjay, Ld. Addl. PP for the State.

Ld. Counsel for applicant/accused.

IO/Inspector Net Ram 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 18.06.2021 and he has been falsely implicated in the present case. It is further submitted that present case is at the stage of evidence and four witnesses have already been examined and their statements are vague and contradictory and they have failed to tell anything about the present case. It is further submitted that statements of PW-1 to PW-4 are not supporting to the present case. It is further submitted that there is no any proof and evidence against the applicant/accused and there is also no any direct witness against him. It is further submitted that no recovery has been made and effected either from the possession or at the instance of

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applicant/accused, if any recovery has been effected from the applicant/accused by the IO are planted by the IO against him. It is further submitted that no fruitful purpose would be served to keep the applicant/accused behind the bar. It is prayed that the 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.

Perusal of the record shows that charges for the offences punishable U/s. 302/34 IPC Act have been framed against applicant/accused and his co-accused persons. Perusal of the record shows that matter is at the stage of recording of evidence and around six witnesses have been examined till date out of which examination of PW-1 Sh. Ravi and PW-6 HC Jogender has been deferred. It is pertinent to mention that PW-1 Sh. Ravi has identified accused and he has stated that applicant/accused had caught hold deceased before his co-accused Shankar fired 3-4

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gun shots on the deceased. It is further pertinent to mention that the examination of PW-1 has not been completed as yet and releasing applicant/accused at this stage may result in serious threats to PW-1. Further, the allegations against applicant/accused are serious in nature.

Keeping in view of the seriousness of allegations as well as seriousness of the offence, the present bail application stands dismissed. **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
20.07.2024