

**IN THE COURT OF MS. NISHA SAHAY SAXENA
PRINCIPAL DISTRICT & SESSIONS JUDGE
NORTH DISTRICT: ROHINI COURTS: DELHI**

Bail Matter No. 1638/2025 (Anudin @ Nadeem)
SC No. 6870/2025
STATE Vs. Dinesh Chand @ Golu & Ors.
FIR No. 284/2025
PS: Swaroop Nagar
U/s 103(1)/61(2)(a)/3(5) BNS & 25/27/54/59 Arms Act

ORDER

04.11.2025

Vide this order, I shall dispose off an application u/s 483 BNSS for grant of regular bail, moved on behalf of applicant/accused Anudin @ Nadeem.

2. I have heard the arguments of Ld. Addl. PP for the State and Ld. Counsel for applicant / accused Anudin @ Nadeem and perused the record.

3. Reply to the bail application has been filed by IO.

4. Ld. Counsel for the applicant / accused contended that applicant/ accused is innocent and merely on the disclosure statement of co-accused persons, he has been falsely dragged in the present case. The CCTV footage establishes that the applicant/accused was not among those individuals whom the complainant identified as present at the scene of the crime. CDR submitted with charge-sheet also establishes that the applicant was not present at the scene of crime or near its vicinity at the time of alleged offence. He has also no prior enmity, dispute or contact with complainant or deceased. In his statement also, complainant did not name the applicant who were present in the office of the main accused. His name has also not been mentioned in the FIR

with respect to commission of alleged offence. Since the applicant / accused was known to main accused, he remained in contact with him, but was not involved in the commission of alleged offence. The applicant / accused, who is suffering acute financial difficulties, has the responsibility to look after his family including his old aged mother, wife, three minor children. He is in custody since 16.06.2025 and trial of the present case would take a long time. He is not involved in any other criminal case except the present one. The applicant / accused is ready to undertake that he would not flee from justice and shall neither tamper with the evidence nor threaten the witnesses. He is also ready to undertake that he shall abide by the conditions imposed by this court while granting bail to him.

5. Ld. Addl. PP for the State has strongly opposed the bail application owing to the gravity of the offence. Ld. Addl. PP argued that applicant /accused Anudin @ Nadeem had procured arms and ammunition from Bulandshahr, UP. During PC remand, he disclosed that out of the four arms, two had been purchased from his relative Kale (since deceased) in the year 2020 and remaining two arms were recently procured from one Jakir (a close relative of applicant), against whom NBWs have been issued by the court. The main accused Dinesh Chand @ Golu and Ravinder @ Foji accompanied Anudin @ Nadeem to Bulandshahr on 08.05.2025, 16.05.2025, 18.05.2025 and 23.05.2025 for procuring arms and ammunition. Investigation further revealed that accused Anudin @ Nadeem stayed at Krishna Hotel, near Jail, Bulandshahr, UP and photocopies of visitor register reflecting presence of accused persons were seized during the investigation.

Applicant / accused actively participated in the conspiracy. He was present in the office of co-accused Dinesh @ Golu when the planning for the offence was being made. CDR analysis corroborates that Anudin @ Nadeem was in frequent contact with co-accused Ravinder @ Foji and Dinesh Chand @ Golu prior to the incident. This is a double murder case, charges are yet to be framed and if applicant / accused is released on bail, he may threaten and influence the witnesses.

6. Perusal of record reveals that charge-sheet for the offences punishable u/s 103(1)/61(2)(a)/3(5) BNS has already been filed in the present case and it is at the initial stage. Charges are yet to be framed in the present case. FSL result is yet to be filed. Allegations against the applicant / accused is of heinous in nature i.e. a double murder of two innocent people, who are in no way involved with any kind of transaction with the accused persons. As per prosecution story, applicant / accused along with main accused visited Bulandshahr for procurement of ammunition and he was also in contact with the main accused before and after the alleged incident of murder of two innocent persons. The question whether the applicant / accused was present at the time of committal of offence or committed the alleged offence, remains a matter of trial. The allegations against the accused are serious in nature. Applicant may misuse his position to threaten the complainant and other witnesses or tamper with evidence. One co-accused Jakir is absconding and is yet to be arrested. Ld. Counsel referred to case of Dataram Singh Vs. State of Uttar Pradesh and Anr. (2018) 3 SCC 22 and contended that bail is a rule, Jail is an exception. However, with due deference there is no dispute about the

principles enunciated therein, and each case has to be judged on its own merits. In the instant case, there are specific allegation against the applicant / accused of his involvement in the conspiracy and planning in commission of alleged offence. It is a double murder case. The accused may threaten the witnesses or tamper with evidence, if released on bail. In the facts and circumstances and above discussion, I am not inclined to allow the present bail application, hence, **the present bail application hereby stands dismissed.**

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

8. The present bail application be tagged with the main file.

(NISHA SAHAY SAXENA)
Principal District & Sessions Judge
North District/Rohini Courts/Delhi
04.11.2025(d)