

IA No. 1/2025 in SC No. 432/2025
State Vs. Krishan Kumar
FIR No. 208/2025
PS S.P. Badli
U/s 140(1)(3)/142/103(1)238(a)/61/3(5) BNS

31.07.2025

This is a second bail application under Section 483 BNS for grant of regular bail moved on behalf of the accused / applicant namely Krishan Kumar.

Present: Sh. Dushyant Siwatch, Ld. Chief PP for the State.

Case file placed before the undersigned. Record perused.

Arguments have already been heard.

Reply to the above said application already received.

1. It was argued by Ld. Counsel for applicant/accused that the applicant/accused is an innocent person and he has been falsely implicated in the present case. It was further submitted that applicant/accused is in JC since 20.02.2025. It was argued further that the accused / applicant is not previous convict and has clean antecedent. It was further argued by the Ld. Counsel for the applicant / accused that investigation qua applicant/accused has already been completed and charge sheet has already been filed. It was submitted by him that the accused / applicant is the sole bread earner of his family and trial would take long time to conclude the trial. It was further submitted that no purpose would be served to keep the accused in custody. That accused is ready to abide by all the terms and conditions. It is prayed that a lenient view be taken.

2. On the other hand, Ld. Chief PP for the State has vehemently opposed the bail application. It was argued by him that the bail application of the accused / applicant has already been dismissed vide order dated 07.04.2025 and since then, no change in circumstances has been averred by the Ld. Counsel for the accused / applicant. It was further argued by Ld. Chief PP for the state that the allegations against the applicant / accused are serious in nature and he may extend any kind of threat to the material witnesses, if he released on bail, hence, prayer is made for dismissal of the bail application.

3. I have heard the Ld. Chief PP for State and Ld. Counsel for applicant/accused.

4. The allegations against the accused / applicant are that as per the last scene of evidence i.e. CCTV footage in which victim Putul who was abducted forcibly by accused Amit Yadav and accused Nitin Yadav in his Mahindra XUV 700 Car with the help of the co-accused /applicant Krishan, who gave all the information to the accused regarding his whereabouts and movement. Thereafter, the victim Putul has not been seen either by his relatives or by investigating agency. As per further allegations, as per the CDR, last location of the accused Amit Yadav, Nitin Yadav and victim Putul are same.

Further, as per report of IO, it is stated that in the disclosure statements, accused Amit Yadav, Nitin Yadav and Ganesh have confessed that Putul was murdered by Amit Yadav, Nitin Yadav and Suresh Yadav and the same disclosure fully corroborated with their CCTV footage, location of their mobile

phones and vehicles used in commission of offence as well as for disposal of dead body of deceased Putul.

The allegations against accused / applicant are of gravest kind i.e. murder. Further, there are specific allegations against him that he was actively involved in conspiracy of providing whereabouts of the deceased to co-accused who committed murder of the deceased. Matter is at the initial stage. Charge is yet to be framed. Out of 37 witnesses, not even a single witness has been examined as yet. All the material/public witnesses are yet to be examined.

Further, the counsel for the accused / applicant has failed to utter even a single word qua change of facts and circumstances since 07.04.2025 when the first bail of the applicant / accused was dismissed. Hence, in the above facts and circumstances and view of the nature and gravity of offence, no ground is made out for grant of bail at this stage. **Accordingly, the bail application of applicant/accused stands dismissed.**

Application stands disposed off.

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

6. Copy of the order be given *dasti* to the Ld. Counsel for the applicant/accused as well as be sent to concerned IO, concerned Jail Superintendent, Ld. Secretary, DLSA (North), through all possible modes, as per rules.

(VANDANA)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
31.07.2025