

IA No. 4/2026 in SC No. 469/2025
State Vs. Kanwal @ Kallu @ Kamal
FIR No. 214/2025
PS Shahbad Dairy
U/s. 103(1)/310(3)/317(3)/61(2)/3(5) BNS

28.04.2026

This is an application under Section 483 BNSS for grant of regular bail moved on behalf of the accused / applicant namely Kanwal @ Kallu @ Kamal.

Present: Dr. Sarita Rani, Ld. Addl. PP for the State.

Sh. Kamaldeep Singh, Ld. Counsel for the accused / applicant.

1. It was argued by Ld. Counsel for the applicant/accused that applicant / accused has been running in JC since 22.04.2026 and has been falsely implicated in the present case. It was further argued that investigation has already been completed and charge-sheet has already been filed. It was further argued that the applicant / accused is longer required for further custodial interrogation and no recovery remains to be made from him. It was further argued that there is no previous involvement of the accused / applicant. It was further argued that the CDR of which, the prosecution has been relied upon is of after the incident. It was further submitted that the accused was even not present at the spot, rather accused was present with his sister at her house and was waiting for someone at about 11.49 p.m. on 25.03.2025. It was argued further that there is no public / independent witness and the prosecution has failed to conduct any TIP of the accused / applicant. It was argued further that accused was not even shown in CCTV footage. It was argued further that nothing has been

recovered from the possession of the accused / applicant. It is further argued 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. Addl. PP for the State vehemently opposed the bail application and argued that allegations against the applicant are serious in nature and if applicant is released on bail, he may threaten the witnesses and he may also jump the bail and prayer is made for dismissal of the bail application.

3. I have heard the Ld. Addl. PP for State and Ld. Counsel for applicant/accused as well as perused the report filed by the IO.

4. As per the report of the IO, the accused played an active role in the alleged offence. It is further reported that all the accused persons after committing the crime reached at hotel paradise which has been recorded in the CCTV footage and the accused is very much visible therein. It has been further reported that CDR of the mobile of the present accused reflects his location at the place of occurrence who was constantly in touch with other co accused persons.

At this stage, the plea of alibi raised by the counsel for the accused can not be decided as that shall be decided on the basis of the evidence. Further the matter is at the initial stage of evidence, where the complainants / witnesses are yet to be examined. There are specific allegations against the accused / applicant. The accused / applicant has played an active role in the

commission of offence. Moreover the allegations against the accused / applicant are serious in nature.

Considering the grave and serious allegations against the applicant/accused and the active role played by him, no ground for grant of bail is made out at this stage. The application stands dismissed. Application is disposed off accordingly.

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, Ld. Secretary, DLSA (North), through all possible modes, as per rules.

(VANDANA)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
28.04.2026