

IA No. 1/2025 in SC No. 470/2025
State Vs. Kalam & Ors.
FIR No.315/2025
PS Bawana
U/s 309(4)/311/317(2)/3(5) BNS

30.08.2025

This is an application under Section 483 BNSS for grant of regular bail moved on behalf of the accused / applicant namely Md. Nizam.

Present: Sh. Girish Giri, Ld. Add. PP for the State.
Ld. Counsel for the accused / applicant.

Reply to the above said application already received.

1. Brief facts of the case are that the present FIR was registered under section 309(4)/311/317(2)/3(5) BNS against the accused / applicant on the statement of the complainant Balram stating that on 20.05.2025, he came at Sai Dharam Kanta, Sector-1, DSIIDC, Bawana Delhi for weighing of his vehicle. He parked his vehicle near Sai Dharam Kanta and went to near by shop to purchase some eatables. It was further stated that when he entered in the street, then two boys came from behind and one of them caught him from behind and another by forcefully took out of Rs. 6000/-at knife point from the right pocket of his lower. Thereafter, both the boys fled from there.

2. 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 20.05.2025. It was further argued that charge-sheet has already been filed and investigation

has already been completed by the IO. It was further argued that the trial has not commenced as yet and it would take long time to conclude as there are number of witnesses are yet to be examined. It was further submitted that the accused/applicant is the sole bread earner of his family. It is 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.

3. On the other hand, Ld. Addl. PP for the State has vehemently opposed the bail application and argued that allegations against the applicant / accused are serious in nature. Hence, prayer is made for dismissal of the bail application.

4. I have heard the Ld. Addl. PP for State and Ld. Counsel for applicant/accused.

5. Matter is at the initial stage. Charge is yet to be framed. Out of 08 witnesses, even the victim has not been examined as yet. There are specific allegations against the accused / applicant that he forcefully took out of Rs. 6000/- from the right pocket of his lower on knife point and one knife was also recovered from his possession. The applicant/accused has played an active role in the commission of offence.

As per the report of the IO, the accused/applicant is also involved in other two FIRs. Moreover, the allegations against the applicant/accused are grave and serious in nature. There is every possibility that if released on bail he may commit similar offence or influence or threaten the witnesses.

6. Seeing the totality of the fact and circumstances and

the above said discussion, no ground for grant of bail is made out at this stage. Accordingly, the bail application of applicant/accused stands dismissed.

Application stands disposed off.

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

8. 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
30.08.2025