

IA No. 15/2026 in SC No. 661/2023
State Vs. Kamal Kishor
FIR No. 480/2023
PS S.P. Badli
U/s. 302/201/120 B/34 IPC

16.04.2026

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

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

Complainant through VC.

Sh. Antriksh, Ld. Counsel for the accused / applicant.

Arguments heard.

1. It was argued by the Ld. Counsel for accused that he has been falsely implicated in the present case. It was argued by the Ld. Counsel for the accused / applicant that the accused/applicant has been running in JC since 23.05.2023. It was further argued that investigation qua the applicant / accused has already been completed and no custodial interrogation is required of the accused / applicant. That co-accused persons namely Anju @ Renu, Mukesh Kumar and Pradeep Grover have already been enlarged on bail. It was further argued that the accused / applicant is having clear antecedent and he is aged about 31 years having no nexus with the commission of the alleged offence. It was further argued that there was an unexplained delay of 14 hours in the registration of FIR. It was further argued that as per the chargesheet there was not an eye witness present at alleged scene of crime and the case of

prosecution is only purely based on circumstantial evidence. It was argued that the charge is yet to be framed and there are 26 witnesses, who are yet to be examined, therefore, trial shall take its own course. 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. Ld. Counsel for the accused / applicant relied upon judgment i.e. **Pardeep Kumar @ Banu Vs. State of Punjab Criminal Appeal No. 1341/2026 [Arising out of SLP (Crl.) No. 18775/2025]**, decided on 13.03.2026 submitting that in the above case, as charge was not framed for 2 years, hence, bail was granted to the accused / applicant.

2. On the other hand, Ld. Additional PP for the State vehemently opposed the bail application submitting that the allegations levelled against the applicant/accused are very serious in nature and he has played an active role in the crime. Hence it is prayed that the above said application be dismissed.

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

4. At first, charge has been ordered to be framed against the accused / applicant under section 302/201/120B/34 IPC and material / public witnesses, are yet to be examined including the father of the deceased, who is a senior citizen.

Further, the judgment relied upon by the Ld. Counsel for the accused / applicant **Pardeep Kumar @ Banu Vs. State of Punjab Criminal Appeal No. 1341/2026 [Arising out of SLP (Crl.) No. 18775/2025]**, decided on 13.03.2026, is not applicable in the present facts and circumstances as that matter pertains to section 307 IPC though the present matter is under section 302/201/120B/34 IPC. Even in the disclosure statements of co-accused, it has been alleged that the accused / applicant gave brutal beatings to the deceased. The body of the deceased was also found from the house of the accused / applicant. Thus, he played an active role in the commission of the offence. Further, it has been opined in the Postmortem report that, “Death was due to combined effect of cerebral damage and hemorrhagic shock consequent to multiple injuries to the body”.

5. In view of the above, the application stands dismissed. Application is disposed off accordingly.

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

7. 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
16.04.2026