

SC 59318/2016
STATE Vs. MANOJ @ MORKHERI
FIR No. 55 /2016
PS Crime Branch-North Delhi
U/s. 3 (1)/4 /5 MCOCA

13.07.2023

This application U/s. 439 Cr. P. C for grant of regular bail moved on behalf of applicant/accused **Ishwar Pandit** is placed before me in terms of order No. 16572-16595/Judl./Bail/North/RC/2023, dated 25.05.2023 of Id. Principal District & Sessions Judge, North, Rohini Courts, Delhi.

Present: Sh. Himanshu Garg, Ld. Addl. PP for the State.
Sh. S. P. Dhankhar, Ld. counsel for applicant/accused.

Reply to the above said application has already been received.

Ld. counsel for applicant/accused submitted that applicant/accused is in JC since 09.05.2016 and he has been falsely implicated in the present case. It is further submitted that in the present case material witnesses has already been examined and no purpose would be served to keep the applicant/accused behind the bar. It is further submitted that vide order dated 28.03.2023, Ld. Predecessor of this Hon'ble Court has already been granted the bail of co-accused person namely Anil Kumar @ Ganja @ Pehlwan and the role of the applicant/accused is similar with co-accused Anil Kumar @ Ganja @ Pehlwan, on the ground of parity the above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is further submitted that applicant/accused is active member of "Manoj Morkheri Gang" and he

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is involved in various cases. It is further submitted that applicant/accused is also serving life sentence in case FIR No. 112/2003, U/s. 302/307/149 IPC PS Civil Lines, Hisar, Haryana It is prayed that the above said application may kindly be dismissed.

Heard.

Keeping in view the facts and circumstances of this case and also considering the role of applicant/accused and also considering the fact that applicant/accused is involved in many other cases and he is also serving life sentence in case FIR No. 112/2003, U/s. 302/307/149 IPC PS Civil Lines, Hisar, Haryana and also considering the fact that there is no ground of parity with co-accused Anil Kumar @ Ganja @ Phelwa is not convicted in another case, and also considering the seriousness of the offence, the present bail application stands dismissed. **Copy of order be given dasti to the concerned parties.** The present bail application file be tagged with the main file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
13.07.2023