

SC 59318/2016
STATE Vs. MANOJ @ MORKHERI
FIR No. 55/2016
PS Crime Branch- North Delhi
U/s. 3/ 4 MCOC Act

18.04.2026

File taken up today on an application U/s. 483 BNSS for grant of bail moved on behalf of applicant/accused **Jagdeep @ Sonu.**

Present: Sh. J. S. Malik, Ld. Addl. PP for the State.
Sh. Sahil Khurana, Ld.Counsel for applicant
/accused.
ACP Girish Kaushik alongwith SI Yogesh in person.

Reply to the above said application has been filed by IO. Same is taken on record. Copy of the same supplied to Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused submits that applicant/accused is in JC and he has been falsely implicated in the present case. It is further submitted that MCOCA is stringent act and it cannot be invoked lightly against a person and allegations made against the present applicant/accused are not sufficient to attract the provisions of MCOCA. It is further submitted that applicant/accused is not involved in continuing unlawful activity as a member of organize crime syndicate or not involved in organised crime. It is further submitted that entire chargesheet is silent on the pecuniary advantage gained by the applicant/accused or other accused persons. It is further submitted that despite investigation, no evidence was found to show any pecuniary gain derived by applicant/accused out of the

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criminal activities. It is further submitted that after completion of investigation, in the chargesheet IO attached details/certified copies of 9 FIRs for the purposes of indicting applicant/accused and in the 9 FIRs applicant/accused has already been acquitted in 7 FIRs and is on bail in 2 FIR. It is further submitted that offence has been committed by the applicant/accused after invocation of MCOC Act . It is further submitted that every offence cannot be adjudged as organized crime under MCOCA unless the same has direct nexus with the objective of the organized crime. It is further submitted that applicant/accused if an accused in any other FIR not part of the present proceedings cannot be used to invoke MCOCA against the applicant/accused. It is further submitted that confessional statement recorded U/s. 18 MCOCA of co-accused cannot be read against the present applicant/accused as these have been retracted and denied and this is more so in the absence of any corroborative evidence. It is further submitted that in the present case co-accused has already been granted bail. It is further submitted that no application of applicant/accused is pending either before any other Court including Superior Courts. It is prayed that above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly

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opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

Perusal of the record shows that in the present case, Charge for the offences punishable U/s. 3 (1) (i), U/s. 3 (1) (ii) and U/s. 3 (4) of Maharashtra Control of Organized Crime Act, 1999 have been framed against applicant/accused **Jagdeep @ Sonu** and his co-accused persons vide order dated 09.03.2022 by my Ld. Predecessor. Further, there are specific allegations against applicant/ accused **Jagdeep @ Sonu** that he is one of the members of the Organized Crime Syndicate and he was involved in around various FIR cases pertaining to the organized crime syndicate. Although, he has been acquitted in some of the cases, however, in some of cases, trial is still pending and has not been concluded as yet.

Section 21 (4) of Maharashtra Control of Organized Crime Act, 1999 is relevent in this context and the same read as follows:-

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“Notwithstanding anything contained in the Code, no person accused of an offence punishable under this Act shall, if in custody, be released on bail or on his own bond, unless-
(a) the Public Prosecutor has been given an opportunity to oppose the application of such release; and
(b) where the Public Prosecutor opposes the application, the Court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

The allegations against applicant/accused **Jagdeep @ Sonu** are serious in nature. Matter is still at the stage of recording of Prosecution Evidence and any other material witnesses are yet to be examined. Therefore, at this stage, it cannot be said that there are reasonable grounds for believing that applicant/accused is not guilty of alleged offence and that he is not likely to commit any offence while on bail to the satisfaction of this Court as described in Section 21 (4) of Maharashtra Control of Organized Crime Act, 1999. Further, it is important to mention that bail applications of co-accused persons namely Dheerpal @ Deepak and Manoj @ Morkheri, who have similar role, have been dismissed by Hon'ble High Court of Delhi vide order dated 10.03.2026.

In view of above discussion and considering the seriousness and gravity of offences alleged against applicant/accused **Jagdeep @ Sonu**, this court is not inclined to

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grant bail to applicant/accused. The present bail application is accordingly, dismissed. Copy of order be given dasti to the concerned parties. The present bail application file be tagged with the main case file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
18.04.2026