

CNR No.:DLNT01-011860-2024  
SC No. 508/2024  
STATE Vs. Naseem @ Gulzar Ali  
FIR No. 679/2019  
PS Bhalaswa Dairy  
U/s: 308/34 IPC

03.12.2024

**(File is taken up today on receipt of a letter received from Jail Superintendent, CJ-8 & 9, Tihar, Delhi)**

Present: Ms. Monika Aggarwal, Ld. Substitute Addl PP for State.  
Sh. J.K. Kalson, Ld. Deputy CLADC for accused Jahid @ Hakla.

The present letter has been received from Jail Superintendent, CJ-8 & 9, Tihar, Delhi, wherein it is mentioned that accused Jahid @ Hakla has completed around three years in J/C in the present FIR case, however, there was ambiguity regarding the period of custody undergone by accused Jahid @ Hakla as he was arrested in the present case on 01.02.2020 and was released on bail on 19.02.2020.

Ahlmad of the Court of Ld. MM-01, North-District, Rohini Courts, Delhi was directed to file Order dated 30.10.2021 passed by Ld. MM-01, North-District, Rohini Courts, Delhi, whereby accused Jahid @ Hakla was taken into custody in the present FIR case.

Ahlmad has filed some documents including the order dated 30.10.2021 passed by Ld. MM-01, North-District, Rohini Courts, Delhi.

Perusal of the order dated 30.10.2021 passed by Ld. MM-01, North-District, Rohini Courts, Delhi shows that accused Jahid @ Hakla was taken into custody on an application seeking discharge of surety as he could not furnish fresh surety. ....Contd2/-

On calculation, accused Jahid @ Hakla is found to be in Judicial Custody in the present FIR for a period of about Three Years One Month and Twenty Days. It is also pertinent to mention that he is presently lying in J/C in a murder case in case bearing FIR No.666/2020 PS Burari, U/s 302/120B/34 IPC & U/s 25/27 Arms Act. Thus, One Half of the maximum period i.e., Three and Half Years for the offence punishable under section 308/34 IPC (Offence punishable upto imprisonment for 07 years as simple hurt has been caused to the victim in the present case) has not been completed in the present case. Therefore, no ground for release of accused Jahid @ Hakla under section 436-A Cr. PC (479 of BNSS) is made out. The letter received from Jail Superintendent is disposed off, accordingly.

Be put up the file for date already fixed i.e., **01.02.2025.**

Copy of order be sent to Jail Superintendent concerned for necessary information.

**(Sushil Kumar)**  
**Addl. Sessions Judge-04**  
**North District Rohini Courts Delhi**  
**03.12.2024 <sup>(R)</sup>**