

10.09.2025

File is taken up today for deciding the bail application moved on behalf of applicant/accused Krishna @ Kinna.

Present: Sh. Vikas-II, Ld. Addl. PP for State.
Sh. Rakesh Kumar, Ld. Counsel for applicant / accused.

1. The present application has been moved u/s 483 BNSS, 2023 for grant of regular bail for applicant / accused Krishna @ Kinna, who was arrested on allegations of committing an offence under Section 109(1)/132/221/317(2)/3(5) BNS and 25/27 Arms Act.

2. Ld. Counsel for the applicant/accused has submitted that no similar application of the applicant/accused is pending before any other court.

3. Reply filed. Copy supplied.

4. The facts of the case as detailed by the investigating agency are that SI Rajeev Kumar, posted at Special Staff Rohini received an information about one Govinda, a resident of Sultanpuri involved in thefts, robberies and carrying illegal weapons. He was expected to arrive with his two associates in a stolen black Creta car to commit a crime. A raid was accordingly conducted. On 19.03.2025, at around 10:10 pm near divider cut on Kailash Vihar, Pansali Road, close to

Helipad, Rithala Road, Delhi, the stolen Creta car was intercepted. On being signaled to stop, accused persons instead attempted to flee the spot, rammed the police vehicle and opened fire at the police party. Accused Krishna @ Kinna while trying to evade arrest, fired at the police team. His co-accused Govinda also fired upon SI Rajeev Kumar narrowly missing his head. The police acting in self defense fired back resulting in injuries to both Krishna @ Kinna and Govinda and they were apprehended alongwith Sameer @ Daud.

5. Ld. Counsel for applicant / accused has argued on the line of bail application and submitted that has been falsely implicated in this case and running in JC since 19.03.2025. It is further submitted that applicant / accused has nothing to do with the alleged offence and all the allegations are false and concocted. It is further submitted that investigation has been completed and chargesheet has already been filed and there is no further ground or reason to keep him behind the bar. It is further submitted that applicant / accused was not present at the time of alleged incident and he has no role in the present case. Ld. Counsel submitted that applicant / accused is a married men aged about 40 years and he is the only bread earner in his family. Ld. Counsel has submitted that nothing is to be recovered from the applicant / accused or at his instance in the present case. Ld. Counsel for applicant / accused has submitted that there is no incriminating evidence came forward against the applicant and no such recovery has been made out against the applicant. The recovery whatsoever has already been effected from co-accused. Ld. Counsel has submitted that two of the co-accused

namely Govinda @ Murlidar and Sameer @ Doud have already been granted bail. Thus, the applicant also deserves to be released on parity.

6. The bail application is opposed by Ld. Addl. PP for the State stating that allegations against the applicant / accused are serious in nature involving direct assault on a police team with illegal firearms and use of stolen property. It is submitted that a pistol was recovered from applicant / accused. He is a habitual offender and has previously been involved in multiple criminal cases. It is submitted that if released on bail, he may influence the witnesses.

7. Submissions heard. Record perused.

8. One of the prime purpose of detention before conviction is to ensure effective collection of evidence and protection of witnesses. The purpose of this detention is not punitive. The charge-sheet has already been placed before the Court which means that process of investigation has already been completed. Trial is yet to commence and needless to say that conclusion of the same shall take some time. All the witnesses cited by the prosecution to prove its case are police personnel and in opinion of this Court, applicant is not in position to exercise any influence or coercion upon them. Moreover, two of the co-accused namely Govinda @ Murlidar and Sameer @ Doud have already been granted bail. Thus, the applicant also deserves to be released on parity.

9. In view of the above circumstances, this Court does not see any reason to keep the applicant behind bars, therefore, bail application of the applicant/accused is allowed. **He be released on bail on furnishing**

bail bonds in sum of Rs.25,000/- with one surety of like amount, subject to the following conditions:-

- 1) Applicant/accused shall appear before the Court on each and every date.
- 2) That applicant/accused shall not try to contact or influence, directly or indirectly, any of the witnesses;
- 3) That the accused / applicant shall intimate the Court in case of change of his address.

10. Observation made herein above shall not affect the merits of this case in any manner.

11. Application stands disposed off.

12. File be put up on dated already fixed i.e. **01.11.2025**.

(MUNEESH GARG)
ASJ-03, N/W, ROHINI COURTS
DELHI/10.09.2025