

**IN THE COURT OF MS. NISHA SAHAY SAXENA
PRINCIPAL DISTRICT & SESSIONS JUDGE :
NORTH-WEST : ROHINI COURTS : DELHI.**

CNR No. DLNW01-009094-2024

SC No. 755/24

State Vs. Suraj etc

FIR No. 216/2024

PS : Ashok Vihar

U/s 302/201/34 IPC

(Order on bail application of accused Suraj)

30.04.2026

This is an application u/s 483 BNSS moved on behalf of the applicant / accused Suraj for grant of bail. Reply to the said application has already been filed by the IO.

Arguments have been addressed by Sh. P. K. Samadhiya, Ld Additional Public Prosecutor for State and Ms. Hema Goel, Ld. counsel for applicant / accused.

The allegations against the applicant / accused Suraj are that on 21.06.2024 at about 10.30 PM, he along with his co-accused Anuj @ Illa, Ajay, Rajesh @ Laddu and Gautam, in furtherance of their common intention, assaulted Vishal and Sahil and caused their death.

Bail has been sought on behalf of the applicant / accused Suraj on the ground that he has been falsely implicated in the present case and rather he himself is a victim / injured and was given merciless beatings by Sahil and Vishal, who had approached him to know about the whereabouts of his brother Anuj and friends Ajay and Rajesh. It is further submitted that there is no incriminating evidence against the applicant / accused and no recovery has been effected from him. Investigation has

already been completed, charge-sheet has already been filed and eleven witnesses have already been examined. It is further submitted that applicant / accused has clean antecedents and he is in JC since 22.06.2024. It is prayed that the applicant / accused be released on bail.

Per contra, Ld. Prosecutor has opposed the bail application submitting that the allegations against the applicant / accused are serious in nature and in the present case two precious lives have been lost. The material witness is yet to be examined and there is every likelihood of the applicant / accused tampering with the prosecution witnesses. It is further submitted that the injuries sustained by the applicant / accused were so sustained by him during the scuffle, wherein the applicant / accused and his associates were the aggressor and they caused death of Vishal and Sahil.

In the reply filed by the IO, it is submitted that during investigation, the eye witness Praveen has given a brief description of the incident as it took place, wherein he stated that on 21.06.2024 at about 10.30 PM, he heard some noises and realized that there was a quarrel and on reaching at the spot, he found that accused Anuj @ Illa along with his brother / applicant / accused Suraj @ Lalla and his friends Ajay, Rajesh @ Laddu and Gautam had surrounded Vishal @ Chatriya and Vipul and Sahil, and were beating them. He further submitted that Anuj @ Illa attacked Vipul @ Sahil and gave him beatings with a knife, while the applicant / accused Suraj was beating him with kicks and punches. Meanwhile, accused Ajay and Rajesh @ Laddu were attacking Vikash @ Chatriya with a knife and

accused Gautam hit the injured Vishal @ Chatirya with a baseball bat.

The presence of the accused Suraj at the spot is established from the fact that he received injuries during the incident. Accused Anuj @ Illa (brother of applicant / accused) himself called and informed the police that his two relatives got injured, a fact which establishes his presence at the spot. It is further submitted that the material witnesses, which remain to be examined and the applicant / accused are the residents of the same locality and there is every likelihood of the applicant / accused tampering with the prosecution witnesses. The applicant / accused is involved in a heinous crime of double murder and the liberty of bail may be misused.

No doubt eleven prosecution witnesses have already been examined in the present case but many material witnesses are yet to be examined. From the charge-sheet and other documents available on record, there was previous enmity between the accused persons on one hand and the deceased and their associates on the other hand. The possibility of the applicant / accused tampering and threatening the prosecution witnesses cannot be ruled out at this stage.

Seeing the gravity of offence and the fact that the material witnesses are yet to be examined, I am not inclined to release the applicant / accused Suraj at this stage. Accordingly, the present bail application moved on behalf of applicant / accused Suraj is dismissed.

Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the applicant / accused. As

prayed a copy of this order be given dasti to Ld. counsel for applicant / accused.

Now come up on the date already fixed i.e.
16.07.2026.

(Nisha Sahay Saxena)
Principal District & Sessions Judge (NW)
Rohini Courts, Delhi (k)