

07.03.2026

Both the regular Stenographers are on leave today.

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.
Sh. Ravinder Kumar, Ld. Counsel for accused.
IO SI Shiva in person.

1. Present application U/s 483 BNSS has been moved seeking regular bail for the applicant / accused Mohd. Anwar who is facing allegations U/s 105/117(2)/127(2)/3(5) BNS.
2. Ld. Counsel for the applicant / accused has submitted that no similar application is pending before any other court.
3. Reply has been filed. Copy supplied.
4. Ld. Counsel for applicant / accused has argued on the lines of bail application and submitted that the applicant / accused has been arrested on 05.02.2025 and since then, he is running in JC. It is further submitted that applicant / accused is innocent and he has been falsely implicated in the present matter. It is further stated that earlier two bail applications moved on behalf of applicant / accused was dismissed at a stage when investigation is still pending and charge-sheet was not filed. It is stated that present bail application is being filed on account of material change in circumstances as the investigation is now complete and

charge-sheet has already been filed. It is further stated that even as per the charge-sheet and prosecution material, the applicant / accused can be seen by holding the legs of the deceased and apart from this, there is no role of the applicant / accused. It is further stated that IO had not taken permission to conduct face recognition test from the competent authority. It is further stated that other two co-accused in the present matter have already been released on bail. It is further stated that after filing the charge-sheet, applicant / accused is no longer required for custodial interrogation and therefore, his continued incarceration is wholly unjustified. It is prayed that he may be released on bail.

5. Ld. Addl. PP for the State strongly opposed the bail application stating that allegations against the applicant / accused are serious and grave in nature. It is further stated that applicant / accused is clearly visible in the CCTV footage as he was holding the legs of the deceased. It is further stated that as per the postmortem report, the cause of death was hemorrhagic shock consequent upon multiple blunt force trauma / impact to various body parts. All injuries were ante-mortem in nature, fresh in duration, caused by blunt force trauma and collectively sufficient to cause death in the ordinary course of nature. It is also submitted that applicant / accused is not entitled bail on the ground of parity as role of the present applicant / accused is materially different and more serious than that of the other co-accused persons.

6. Arguments heard. Record perused.
7. The applicant / accused is charge-sheeted for offence U/s 105/117(2)/127(2)/3(5) BNS. The allegation against the applicant / accused are grave and serious in nature. He is stated to be clearly visible in CCTV footage holding the deceased by his legs. The applicant / accused is stated to have been involved actively in the commission of the alleged offence. The question of parity has already been considered while dismissing his last bail application vide detail order dated 16.07.2025. Therefore, he cannot claim bail on the ground of parity as his role is on higher footing as compared to co-accused persons who have been granted bail. **Considering the overall facts and circumstances particularly the gravity of the allegation and initial stage of trial, the bail application is dismissed.**
8. In view of the recommendations of Rules Committee U/s 523 of BNS, 2023 with respect to the practice directions issued by Hon'ble Supreme Court of India in Writ Petition No. W.P.(C) 1082/2022, Subhash Chakma Vs. Union of India & Ors., the applicant can avail the free legal facility from District Legal Services Authority, North West, Rohini at Room No. 405, 4th Floor, District Court Rohini, Delhi-110085. Applicant may contact the authority on phone number: 011-275555 or through mail at email ID: northwest-dlsa@nic.in.
9. It is clarified that nothing observed hereinabove shall have

any bearing on the merits of the case.

10. Accordingly, application stands disposed off.

11. Copy of the order be given dasti.

12. Copy of the order be sent to applicant / accused through concerned Jail Superintendent.

13. List the matter on date already fixed i.e. **17.03.2026**.

(MUNEESH GARG)
ASJ-03, N/W, ROHINI COURTS
DELHI/07.03.2026