

SC No.53600/16
State Vs. Ajay Dabas
FIR No.463/16
PS : Crime Branch / Vijay Vihar
U/s.392/394/307 IPC

10.09.2024

Present: Sh. Sanjay Jindal, Ld. Addl. PP for State.
Sh. Dharamraj Ohlan, Ld. Counsel for applicant.

1. **This is 3rd bail application u/s.483 BNSS moved on behalf of the applicant / accused Ajay Dabas seeking regular bail.**
2. Ld. Counsel for the applicant / accused has submitted that no similar application is pending before any other Court.
3. Reply filed. Copy supplied.
4. During the course of arguments, Ld. Counsel for the applicant has submitted that the present case FIR was registered on a complaint given by complainant Manjeet Kumar PW2. He has already been examined. In addition to Manjeet Kumar PW2, prosecution has also examined material witnesses namely Dhanpati Devi, Omwati, Bimal, Anju and Kamal. However, besides Manjeet Kumar, none of the prosecution witnesses have supported the case of prosecution. Remaining witnesses are formal in nature and there is no purpose to further keep the applicant in custody, awaiting their examination. Ld. Counsel for the applicant has also submitted that applicant is in JC for the last about 8 years.
5. On the other hand, Ld. Addl. PP for the State has submitted that all the accused persons were earlier facing a criminal case for committing murder of Devender Rathi, who was brother-in-law of complainant Manjeet Kumar. Since Manjeet Kumar was pursuing the case, they attempted to eliminate Manjeet Kumar

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also. Ld. Addl. PP has further added that accused persons are habitual offenders, who repeatedly involve themselves in criminal activities. If released on bail, they will definitely try to cause harm to the complainant Manjeet Kumar. Ld. Addl. PP has also pointed out that some of the material prosecution witnesses are yet to be examined.

6. Submissions heard. Record perused.
7. Record reveals that the accused and his associates had attempted to commit murder of Manjeet Kumar because he was brother-in-law of Devender Rathi, in whose murder case, the applicant and his associates were the accused. Record further reveals that many criminal cases are registered against the applicant / accused. Some of the material witnesses are yet to be examined. Taking note of the fact that many criminal cases are registered against the applicant and the fact that some material witnesses are yet to be examined, this Court is not inclined to grant bail to the applicant / accused. Further, similar application of the applicant was dismissed on 24.08.2024 and there is no fresh ground to reconsider the bail after the said dismissal. **Accordingly, the present bail application is dismissed.**
8. Application stands disposed of accordingly.

BABRU BHAN
ADDL.SESIONS JUDGE-03,
NORTH WEST DISTT,
ROHINI COURTS
DELHI/10.09.2024