

**IN THE COURT OF SH. VIRENDER KUMAR BANSAL
PRINCIPAL DISTRICT & SESSIONS JUDGE
NORTH-WEST DISTRICT: ROHINI COURTS: DELHI**

CNR No. DLNW01-010189-2024

SC No. 821-24

FIR No. 571/24

PS Mangol Puri

u/s. 307 IPC

State v. Mohd. Anas

(Bail application of applicant/accused Mohd. Anas)

25.10.2024

File taken up today on an application for bail u/s.439 Cr.P.C. moved on behalf of applicant/accused Mohd. Anas.

Present: Sh. G.S. Guraya, Ld. Chief PP for State.

Sh. Nazim Husain Qureshi, Adv. for applicant/accused.

IO/SI Preet Dabas is present and filed reply.

Heard the arguments on bail application.

(Bail Order)

Ld. Counsel for the applicant/accused submitted that it is the second bail application of the applicant/accused. He is in custody since 08.06.2024. He has been falsely implicated in this fabricated case. Complainant does not disclose the true facts, in fact it is a landlord/tenant dispute. The complainant has not been paying the rent since April 2019. His tenancy has also been terminated. The applicant had gone to demand the rent and to ask him to vacate the premises but he falsely implicated him in the present case. There are no eye-witnesses/public witnesses examined in this case. Ld. Counsel submitted that as per the story of the prosecution, there was a crowd still no public witness has been joined by the police. Ld. Counsel submitted that it is settled law that bail is rule and jail is exception as held by the Hon'ble Supreme Court in *Sanjay Chandra v. Central*

Bureau of Investigation (2012) 1 SSC 40. It is submitted that the accused is having roots in the society. He is having mother and sister. He is the sole bread earner. The entire family is suffering because of incarceration of the accused. It is prayed that he be released on bail.

2. Ld. Chief PP has opposed the bail application and submitted that there are multiple injuries caused on the person of the complainant with the chopping knife. He was apprehended on the spot. It is submitted that if he is released on bail, he may abscond or even threaten the victim. Ld. Chief PP submitted that keeping in view the gravity of offence, he be not released on bail.

3. I have gone through the record.

4. The MLC of the injured shows that there were multiple injuries on his person, on his cheek, neck and left side of the chest. No doubt the investigation is complete but keeping in view the gravity of offence, the relationship between the complainant and the accused, I do not find any reason to enlarge him on bail. The application stands dismissed.

5. **List on the date already fixed i.e. 07.11.2024 for arguments on charge.** Copy of this order be sent to the concerned Jail Superintendent, for information. Copy of the order be also given dasti.

(Virender Kumar Bansal)
Principal District & Sessions Judge (NW)
Rohini Courts, Delhi/25.10.2024/sb