

Bail Matter No. 696/2026
State Vs Shabid Ali @ Sabid Ali
FIR No. 96/2018
PS- Defence Colony
U/s- 454/380/411/34 IPC

24.03.2026

Present: Sh. Prayag Dutt Pandey, Ld. Substitute Addl. PP for
the State.
Sh. Zakir Hussain, Ld. Counsel for applicant
/accused.

TCR has been received.

**By virtue of this order the bail application u/s-483
BNSS for grant of bail moved by the applicant/accused Shabid
Ali @ Sabid Ali is being disposed of.**

Ld. Counsel for applicant/accused has argued that applicant/accused has been falsely implicated in the present case. It is argued that accused is in custody in this case since 08.08.2025. It is submitted that earlier accused was granted interim bail for the purpose of treatment of his wife and after that, accused surrendered before the court and as such, there is no apprehension that accused would abscond. It is further submitted that all other accused persons are on bail and accused is entitled to be released on bail on the ground of parity.

Per contra, Ld. Substitute Addl. PP for the State has argued that accused had absconded during the trial due to which the trial has been considerably delayed as he did not appear for years. It is further stated that accused has 57 other involvements and he may commit similar kind of offence, if released on bail. Hence, the application deserves to be dismissed.

Perusal of TCR shows that initially the chargesheet in this case was filed on 16.10.2018 and thereafter, accused appeared in the court till 28.05.2019 and thereafter, he stopped appearing in the court and ultimately, he was declared as absconder on 14.10.2019 and thereafter, he did not appear for almost five years. After that, on 31.05.2025, Ld .counsel for accused apprised that accused has been arrested in FIR No. 197/2024 PS Special Cell and thereafter, production warrants were issued against the accused and he was arrested on 08.08.2025 and since then, he is in custody.

Now, the bail application has been moved by the counsel for accused primarily on the ground that accused had not misused the liberty of interim bail of 15 days granted to him by Ld. Magistrate, but this court is of the view that merely because accused voluntarily surrendered after completion of interim bail that it cannot by itself be a ground to presume that accused would not misuse the liberty of bail in future. In order to ensure that accused would not jump the bail and make himself available for trial, he was obligated to apprise the circumstances for his non-appearance on the earlier occasion. Admittedly, in this application, no reason has been assigned by him as to why he jumped the bail and misused the liberty of bail granted to him in 2019. Admittedly, due to absence of accused, considerable delay was caused in completion of trial and now, due to his re-arrest in this case, the trial court has to record testimony of the witnesses afresh. Merely because, now, accused is in custody for more than six months do not entitle him to be released on bail in view of his previous conduct for absconding the trial for five years. Admittedly, the accused is a habitual offender and was found

involved in more than 54 cases. **Considering the overall criminal record and the conduct of the accused for absconding for a period of about five years, this court is of the view that accused is not entitled for bail and therefore, application stands dismissed.**

Nothing expressed herein above shall tantamount to expression of opinion on merits of the case.

Copy of this order be given dasti to Ld. Counsel for applicant/accused and IO. Copy of this order be sent to concerned Jail Superintendent to convey the order to inmate. TCR be returned along with copy of this order.

(Ankit Singla)
Additional Sessions Judge,
Special Fast Track Court,
South East District,
New Delhi/24.03.2026