

**IN THE COURT OF MS. SURABHI SHARMA VATS,
ASJ-04, SHAHDARA, KARKARDOOMA COURTS : DELHI.**

**SC No. 120/2023, IA No. 08/2025
State Vs. Abid @ Sonu @ Nakka
FIR No. 0715/2022
PS: Jafrabad
U/s 120B/302 IPC**

12.12.2025

File is taken up on an application filed under Section 483 BNSS seeking bail moved on behalf of applicant/accused Abid @ Sonu @ Nakka.

Present: Sh. S.K. Dubey, Ld. Addl. PP for State.
Ms. Komal Jha, Ld. proxy Counsel for the applicant/
accused.
Applicant/accused is produced from JC.

1. It is submitted by Ld. Counsel for the applicant/accused that applicant/accused Abid @ Sonu @ Nakka has been falsely implicated in the present case; that the accused has been named only on the basis disclosure statement of co-accused Almas Khan @ Allu; that the main accused persons are Amaan and Atif who have actually killed the victim/ deceased; that FIR has been lodged against the unknown person and neither name nor role of the applicant/accused has been mentioned anywhere in the FIR.

2. Ld. Counsel for applicant/accused has further submitted that nothing has been recovered from the possession or at the instance of the applicant/accused; that no single evidence has emerged on record against the applicant/accused; that

investigation of the present case is complete, chargesheet has been filed and matter is at the stage of trial, therefore, no purpose would be served by keeping the applicant/accused behind bars. Further, the co-accused Asad @ Totla, who has somewhat similar role as of the applicant/accused Abid @ Sonu @ Nakka has already been admitted on bail by the Hon'ble High Court of Delhi and co-accused Harish @ Aarish has also been admitted on bail, therefore, applicant/accused Abid @ Sonu @ Nakka also deserves to be released on bail on the ground of parity. The applicant/accused is ready to abide by all the terms and conditions of the bail, if granted and is also ready to furnish reliable surety to the entire satisfaction of the entire Court.

3. Per-contra, Ld. PP for the State has opposed this bail application while submitting that the allegations against the accused/ applicant are quite grave in nature; as per the case of Prosecution, the accused persons in furtherance of their criminal conspiracy brutally murdered Amir @ Tori.

4. It is argued by Ld. Counsel for applicant/accused that even as per the case of Prosecution, only co-accused Amaan and Atif proceeded to the scene of crime and committed the offences in question and that the only allegation against the applicant/accused Abid @ Sonu @ Nakka and the other co-accused persons i.e. Asad @ Totla and Harish @ Aarish, who has already been admitted on bail, is that of conspiracy.

5. Ld. Counsel for applicant/accused has further argued that only three Prosecution witnesses have been examined so far and more than 35 witnesses still remains to be examined; that even the main witnesses of the Prosecution namely Alisha and Saniya have turned completely hostile to the Prosecution and have not uttered even the name of the applicant/accused during their entire deposition before the Court; the conclusion of the trial is likely to take considerable time, therefore, applicant/accused may be admitted on bail. The applicant/accused undertakes not to induce the witnesses or tamper with the evidence and also undertakes to appear before the Court on each and every date of hearing.

6. Arguments on this application heard. Record perused.

7. As per the case of the Prosecution, co-accused Amaan and Atif proceeded to the scene of crime and allegedly murdered Amir @ Tori in order to take revenge of accused Almaas @ Allu @ Salman. The prime witnesses in the case namely Alisha and Saniya, have not supported the Prosecution's case. Perusal of the examination of PW-1 Alisha reveals that her examination-in-chief was deferred at the request of the Ld. Addl. PP for the State solely due to the non-availability of CCTV footage, allegedly showing her conversation with the co-accused Amaan, on the day of the incident, which is stated to be in the FSL. No recovery is alleged to be effected from the applicant/accused. The co-accused Asad @ Totla who had somewhat similar role as that of the applicant/accused Abid @

Sonu @ Nakka has already been granted bail by the Hon'ble High Court of Delhi. The co-accused Arish @ Harish, who is also alleged to have conspired in the offences in question, has also been admitted on bail by this Court. The matter is at the stage of Prosecution Evidence and considering the number of Prosecution witnesses still remain to be examined, the trial is likely to take considerable time.

It is stated that applicant/accused Abid @ Sonu @ Nakka has undergone complete reformation, he further undertakes not to tamper with the evidence and will not influence the witnesses and applicant/ accused also undertakes to face the entire trial and appear before the Court on each and every date of hearing.

Considering the totality of the facts and circumstances, party with the co-accused Asad @ Totla, role of accused/applicant and coupled with above stated reasons and without commenting on the merits of the case, this Court deems it fit to enlarge the applicant/ accused Abid @ Sonu @ Nakka on bail. Accordingly, it is hereby, directed that the accused Abid @ Sonu @ Nakka be released on bail on his furnishing a personal bond in the sum of Rs. 20,000/- with two sureties of like amount, subject to the conditions as mentioned, herein below:

- i) That the accused/ applicant shall convey any change in his address, immediately to the I.O. and to the Learned Concerned Court.
- ii) That accused/ applicant shall appear before the Court on dates of hearing;
- iii) That the accused/ applicant shall not tamper with the evidence in any manner;
- iv) That the accused/ applicant shall not contact, threaten or influence the complainant, his family members or any of the witnesses.

- v) That the accused/ applicant shall not leave the Country without prior permission of the Court.
- vi) That the accused/ applicant shall not directly or indirectly make any inducement, threat or promise to any person who is acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

8. *Nothing expressed hereinabove, shall tantamount to any opinion on the merits of this case.*

9. In compliance of directions of Hon'ble Supreme Court in case titled '*In Re: Policy Strategy for Grant of Bail*', *Writ Petition (Crl.) No. 04/2021 dated 31.01.2023*, e-copy of this order be sent via e-mail to applicant/accused through concerned Jail Superintendent for information.

10. The application stands disposed of. Copy of order be given dasti to Ld. Counsel for the applicant/accused and to the State as well.

(SURABHI SHARMA VATS)
ASJ-04, Shahdara/KKD Courts,
Delhi/12.12.2025