

16.03.2026

Present: Sh. Abhinav Dubey, Ld. Substitute Addl. PP for the
State.
Ld. counsel for applicant /accused.

1. This is an application u/s 483 BNSS for grant of regular bail moved on behalf of accused /applicant **Lokesh @ Lucky**.

2. Reply to the application filed by IO is already on record.

3. It was argued on behalf of the applicant /accused that the applicant has been falsely implicated in the present case. It was further argued that the applicant has no criminal history and is the only son of his widow mother, who has no one else to look after her. It was further argued that the applicant has been languishing in judicial custody since 27.11.2020 without there being any evidence on record against him. It was further argued that PW Sunny had contradicted the version of the prosecution and he also admitted that the applicant could not be seen in the CCTV footage available on the judicial record. It was further argued that PW Sunny is a planted witness. As such, it was prayed that the applicant be granted bail.

4. On the other hand, Ld. Substitute Addl. PP opposed the grant of bail to the applicant. It was argued that the applicant was the main conspirator of the present offence and that he had involved several CCLs to give effect to the crime. It was further argued that there is sufficient evidence collected by the

investigating agency to show the involvement of the present applicant. It was further submitted that the applicant is a hardened criminal. As such, it was argued that the applicant should not be released on bail.

5. Submissions heard. Record perused. Considered.

6. As per the case of the prosecution, on 24.08.2020, information was received from PS Tigri that a person was lying in pool of blood at C-110, JJ Colony, Tigri near Ramdev Park. IO reached the spot and conducted preliminary enquiry. The identity of the victim was revealed as Kunal and it was revealed that he was beaten and stabbed by several persons. He was taken to AIIMS Traum Centre but he was declared brought dead.

7. During the course of investigation, one eye witness namely Sunny disclosed that he had enmity with the present applicant Lokesh and others namely, Vinay, Annu and Aman. He further stated that he was present at the spot when the present applicant alongwith his associate had attacked him and his friend Kunal. The assailants fired many rounds using pistols, however, Sunny somehow managed to escape but Kunal was not so lucky, he was overpowered by the assailants and was beaten and stabbed to death.

8. CCTV footage of the incident was collected where the assailants could be seen assaulting the victim. CDR of mobile phone was also collected as per which the present applicant was in contact with CCLs 'S' and 'P' on the day of the incident and as per location analysis, their presence at the spot was established.

9. At the stage of hearing the bail application, the

Court is not required to minutely sift through the evidence available on record as if a final verdict is to be pronounced. Only a broad overview of the entire evidence in material can be taken. The allegations against the present applicant are that due to previous enmity, he had conspired to commit murder of deceased Kunal and PW Sunny. In pursuance of the same, the victims were attacked and one of them was brutally murdered. The other victim categorically named the present applicant as the prime accused, who had played an active role in commission of the crime. The effect of inconsistencies and discrepancies in the version of the witness is to be considered at the final stage. Perusal of record would reveal that PW Sunny had complained of receiving threats to his life in case he came to depose in this case and that local police was directed to ensure safe production of the witness.

10. Having regard to the nature of allegations, the conduct and antecedents of the accused, also the possibility of threat to prosecution witnesses, I am of the opinion that no ground is made out for grant of bail to the present applicant. **The present application is accordingly dismissed.**

Copy of the order be given dasti.

(Ajay Garg)
Spl. Judge-NDPS/ASJ (South)
Saket Courts, New Delhi/16.03.2026