

22.04.2026

Present: Sh. Jagdamba Pandey, Ld. Addl. PP for the State.
Sh. S.S. Rawat and Ms. Kanak Chaudhary, Ld.
Counsels for applicant/accused.
IO/Inspector Lokender in person and Inspector Shishu
Pal through VC.

1. This is the fourth application under Section 483 BNSS for grant of regular bail filed on behalf of accused /applicant **Ajay**.

2. Reply to bail application already filed. Same is perused.

3. Arguments heard. Record perused.

4. Ld. counsel for applicant/accused argued that the applicant/accused in judicial custody since 19.10.2021 and he has been falsely implicated in the present case. The earlier bail applications filed on behalf of applicant were dismissed vide order dated 26.05.2022, 08.06.2023 & 09.06.2025. The applicant is permanently residing in Sangam Vihar, New Delhi and was running his flower shop at Bhairo Mandir situated at Nehru Place and he is only bread earner as his widow mother is senior citizen. He further argued that as per FIR, the incident took place on 17.10.2021 at 19.30 hrs., but the FIR was registered on 18.10.2021 at 5.35 hrs. There is no explanation of delay in the FIR. There is no independent eye witness in the said FIR who may support the prosecution story. He further submitted that after going through the CCTV footage placed on record by the

prosecution, it was revealed that the applicant/accused was rather trying to save the deceased Imran, however, the police officials instead of making the applicant eye witness to the incident, impleaded him in the present case. He further submitted that the testimony of all the public witnesses has already been recorded in the present case and hence, no fruitful purpose would be served by keeping the applicant in further custody as trial is likely to take considerable time. The applicant/accused has no prior criminal antecedents. He undertakes to abide by all the conditions imposed by this court while releasing him on regular bail. In support, he relied upon case titled as “*Gurbachan Singh Vs. Sat Pal Singh & ors.*” *AIR 1990 SC 209*.

5. Ld. Addl. PP for State strongly opposed the present bail application submitting that the offence committed by the accused is serious in nature as the brother of deceased namely Gulfam stated in his statement that before death, deceased Imran told him that he has been stabbed by CCL ‘N’, Ajay, Harish and their two associates. Further, the weapon of offence i.e. knife used by the co-accused was recovered at the instance of applicant herein. Some of the prosecution witnesses are yet to be examined. If the applicant is released on bail, he may tamper with the evidence and threaten the witnesses. He prayed that the present bail application may be dismissed.

6. Submissions heard. Record perused. Considered.

7. As per record, the applicant is facing trial for the offences punishable under Section 302/34 IPC with the allegations that he along with his associates and CCLs had committed murder of one Imran by stabbing him with a knife.

Further, his earlier three bail applications have already been dismissed on merits. No change in circumstances has been pleaded. The offence committed by the applicant/ accused is grave in nature. The knife in question has been recovered at the instance of applicant who called the deceased Imran to church colony where co-accused CCL 'N' stabbed him. The applicant is seen in the CCTV footage along-with CCL 'N' and some of the prosecution witnesses are yet to be examined. Thus, no ground for bail is made out at this juncture. Hence, the present bail application filed on behalf of applicant/accused Ajay is dismissed.

8. The aforesaid application is disposed off accordingly.

9. Copy of the order be given dasti.

Copy of this order be also sent to the concerned Jail Superintendent for intimation to the applicant/accused.

(Ajay Garg)
Spl. Judge-NDPS/ASJ (South)
Saket Courts, New Delhi/22.04.2026