

IA No.08/2025  
in Reg. No. SC/292/2019  
State Vs. Pramod @ Chhotu & Ors.  
(applicant/accused Vishal)  
FIR No.5/2019  
PS : Bindapur  
U/S : 302/307/323/324/34 IPC  
CNR No.DLSW01-005267-2019

10.11.2025

*File taken up today on an application under Section 483 of BNSS, 2023 moved on behalf of the applicant/accused seeking regular bail.*

Present: Sh. Vijender Kharb, ld. Addl. PP for the State.  
Sh. Bhawan Singh, ld. LADC from the office of CLADC or applicant/accused Vishal.

Reply to the bail application has been filed on behalf of IO.

Ld. counsel for the applicant/accused has argued that applicant/accused is innocent and he has been falsely implicated in the present case. Ld. counsel has further argued that prosecution has examined four public witnesses including the complainant till date and they all turned hostile and did not support the prosecution case at all and did not state anything incriminating against the applicant/accused. Ld. counsel has further argued that the prosecution has cited as many as 36 witnesses in the main chargesheet and two witnesses in the supplementary chargesheet to prove its case and out of the said witnesses, only 4 witnesses have been examined yet. Ld. counsel for the applicant/accused has further argued that the applicant/accused is in J/C since 02.01.2019 and trial is going to take very long time. Ld. counsel for the applicant/accused has

Contd...2/-

further submitted that the applicant/accused is ready to abide by all the terms and conditions imposed by this Court and therefore, the applicant/accused be released on bail.

On the other hand, ld. Addl. PP for the State has opposed the application stating that two public witnesses, who are also the injured, are yet to be examined in this case. Ld. Addl. PP for the State has submitted that the applicant/accused is involved in heinous offence of murder and therefore, the bail application be dismissed.

I have heard learned LADC for the applicant/accused as well as ld. Addl. PP for the State and have perused the record carefully.

The applicant/accused alongwith his co-accused persons has committed murder of Sumit and has also caused injuries to injured/victims Shammi Gupta, Mohit, Sumit S/o Late Sh. Naresh, Akash and Sunny.

Undoubtedly the four public witnesses i.e. PW-1 Sh. Shammi Gupta (injured/complainant), PW-2 Sumit Gupta, PW-3 Bhaskar Shukla and PW-4 Mohit have turned hostile, however, the remaining two injured persons namely Sunny and Aakash are yet to be examined by the prosecution to prove its case. There is every possibility that in case the applicant/accused is released on bail, he may try to approach/influence the said witnesses in order to stop them to appear and depose against the accused in the Court.

Considering the facts and circumstances of the case, this Court is not inclined to grant bail to the applicant/accused at this stage.

Accordingly, the present bail application moved on behalf of applicant/accused Vishal is hereby dismissed.

Nothing mentioned hereinabove shall tantamount to an expression of opinion on the merits of the case.

As prayed, copy of the order be given dasti to learned counsel for the applicant/accused.

A copy of this order be also sent to the concerned Jail Superintendent for intimating the applicant/accused.

Put up on the date already fixed i.e. on **26.11.2025**.

**(Vandana Jain)**

ASJ-03 & Special Judge (Companies Act)  
Dwarka Courts (SW)/New Delhi/10.11.2025