

5 Bail application in SC 975/2022
STATE Vs. PRAVEEN
FIR No. 450/2022
PS : Baba Haridas Nagar
u/s : 302/34 IPC & 25/27 Arms Act

17.01.2026

Present: Ms. Kamaljeet Kaur, Ld. Sub. Addl. PP for the State.
Shri V. S. Chauhan, Deputy Legal Aid Defence counsel for the applicant/accused.
Shri Vijay Dagar, Ld. Counsel for the complainant.
IO in person.

Vide this common order, I shall dispose of both the application filed on behalf of the applicant/accused.

The applicant/accused Praveen has moved the 2nd bail application under Section 483 BNSS for grant of bail.

During the course of arguments, it has been argued on behalf of counsel for applicant/accused that applicant/accused has been falsely implicated in the present case and is in custody since 29.08.2022. It is further submitted that there were 15 eye witnesses present at the spot, however, they have not been cited as the witness. It is submitted that the MLC of the deceased reflects that deceased himself was drunken. It is submitted that trial will take considerable time. It is further submitted that no purpose would be served by keeping the accused behind bars. It is submitted that applicant/accused is ready to abide by any terms and conditions imposed while grant of bail and it is prayed that applicant/accused be granted bail.

Reply has been filed by the IO.

The present application has been opposed by Ld. Sub. Addl. PP for the State and counsel for the complainant on

the ground that the allegations against the applicant/accused are grave and serious in nature. It is submitted that eye witnesses, namely, Naveen Dagar and Anoop Dagar, present at the spot clearly stated the incident in their statements recorded under Section 161 Cr.P.C. It is submitted that weapon of offence has been recovered at the instance of applicant/accused. It is submitted that the clothes worn by the applicant/accused are seized during investigation. Further, there are chances of fleeing away of applicant/accused from the process of law. It is submitted that considering the gravity of offence, present application be dismissed.

Arguments heard. Record perused. Considered.

Perusal of the record reflects that vide DD No. 23A dated 28.08.2022, information was received that the deceased had been shot with a gun. A dead body was lying in a pool of blood when the police officials reached at the spot and the Jupiter scooty bearing No. DL11ST4547 was found at the spot. The deceased was identified as a Azad Singh and postmortem of the deceased got conducted. Weapon of offence has been recovered at the instance of applicant/accused. It is further seen that they had fired at the deceased since he had asked them not to drink at the road and verbal altercation took place. Material witnesses including eye witnesses are yet to be examined. The possibility of Applicant/Accused absconding and threatening or intimidating the witnesses cannot be ruled out in the facts and circumstances of the case. Therefore, considering the gravity of offence, I am not inclined to grant bail to the Applicant/accused at this stage. Hence, bail application of the Applicant/accused is dismissed.

Nothing stated in the order shall tantamount to

expression on merits of the case.

Copy of this order be given dasti to the Counsel for the Applicant and IO, as prayed for.

Copy of the order be sent to concerned Jail Superintendent for necessary information.

(Gurmohina Kaur)
ASJ-05/South-West District,
Dwarka/ Delhi/17.01.2026