

SC No. 57038/16

FIR No. 316/2014
P.S. Ranjit Nagar
State Vs. Mohd. Imran & Ors.

25.04.2018 (01.29 p.m.)

Present: Sh. K.D. Pachauri, Ld. Addl. P.P. for State.

Accused Pappu @ Usman present on bail.

Remaining five accused produced from JC.

Ld. Counsel, Mr. Rajeev Lochan for all the six accused persons.

PW-14 Ct. Sunil Vashisth(now HC) examined, cross examined and discharged. No other PW present today, except IO/SI Thakur Singh.

Now to come up for RPE on 30.05.2018. Issue summons to atleast two more material PWs for the next date, alongwith IO and MHC(M).

At this stage, arguments have been heard today from both sides on pending bail application of accused Mohd. Afjal(in short accused). The main grounds taken in this application are to the effect that this accused is brother-in-law of deceased ; that he is not concerned with the commission of offence in this matter ; that no specific role has been attributed to this accused ; that he is in JC since 10.06.2014 ; that he is ready to furnish reliable bail bonds, if allowed to be released on bail at this stage.

Per contra, this bail application vehemently opposed from other side and mainly on the grounds that there are serious allegations levelled against this accused also in this case besides serious allegations levelled against co-accused persons ; that the trial of this case likely to be concluded in near future as evidence of almost all material PWs has been recorded in this case ; that this accused may flee from justice, if released on bail at this stage ; that there is specific role assigned to this accused in this matter and it cannot be averred on his behalf that no specific role has been assigned to this accused.

Heard and perused the file for this purpose.

In the considered opinion of this Court, there are prima facie serious allegations levelled against this accused in this matter at this stage. It is very old case which is likely to be decided on merits in near future as evidence of almost all material PWs has been concluded in this matter and remaining PWs likely to be examined in near future. There are chances of fleeing of this accused from justice, if released on bail at this stage, thereby getting this matter further delayed on merits. For these reason, I do not find any merits in this application and it is hereby rejected at this stage. Anything written here need not be treated to affect further fair trial of this case on merits. As prayed for, copy of this order be given dasti to Ld. Counsel for accused as well as to State.

At this stage, Ld. Addl. PP for State has filed an application making certain allegations against Ld. Defence Counsel to the effect that Ld. Defence Counsel used some objectionable language against him today in the Court during deposition of PW-14. Copy of this application supplied to Ld. Defence Counsel, who seeks time to file reply to the same on the next date of hearing. This submission not opposed from other side. Now to come up for reply and arguments also on this application on next date i.e., 30.05.2018.

With this order, now to come up for RPE on 30.05.2018.

(Dr. SHAHABUDDIN)
ASJ/Special Judge (NDPS)
(West) Delhi/25.04.2018