

SC 695/2024
STATE Vs. **Sahil @ Sunny**
FIR No. 556/2024
PS Narela
U/s. 109(1)/324/3(5) BNS & U/s. 25/27 Arms Act

03.12.2024

File taken up today on application U/s. 483 BNSS for grant of bail moved on behalf of applicant/accused **Sahil @ Sunny**.

Present: Ms. Monika Aggarwal, Ld. Substitute Addl. PP for the State.
Sh. C. M. Sangwan and Sh. Vikas Kumar, Ld. Counsels for applicant/accused.

Reply to the above said application has been filed by IO. Same is taken on record. Copy of the same supplied to Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused submits that applicant/accused is in JC since 09.10.2024 and he has been falsely implicated in the present case. It is further submitted that applicant/accused has nothing to do with the alleged offence, but he was falsely implicated in the present matter by the police officials in order to extort money from him as well as co-accused and their family members. It is further submitted that alleged incident took place on the intervening night of 19/20.08.2024 but there is no FIR or any report is lodged on part of the complainant or his family members to the police and after lapse of considerable period of time and the complainant confide all the things to his brother and they lodged the complaint with the police. It is further submitted that no recovery has ever been effected from the applicant/accused and chargesheet has already been filed. It is further submitted that applicant/accused is no more required

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for further custodial interrogation and no fruitful purpose would be served to keep the applicant/accused behind the bar. It is prayed that above said application may kindly be allowed. Ld. Counsel for applicant/accused has file citation i.e. *Bhupender Singh & Ors. Vs. State & Ors., Crl. M.C. 3153/11, decided on 07.12.20211, Decided by Hon'ble High Court of Delhi.*

On the other hand, Ld. Additional PP for State strongly opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

Briefly stated, the present FIR bearing no. 556/2024 has been registered at PS Narela, U/s. 109(1)/324/3(5) BNS & U/s. 25/27 Arms Act with the allegations that applicant/accused **Sahil @ Sunny** alongwith his co-accused persons fired gun shots towards complainant and also smashed the windows of complainant's car with baseball bats with the intention to kill the complainant. Perusal of the record shows that the crime scene was inspected by Crime Team and an empty cartridge was found by the Crime Team at the scene of crime. Perusal of the record also shows that from the photographs of the crime scene,

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effects of gun shots are clearly visible on the complainant's car and complainant's car is found badly damaged which prima facie gives impression that an attempt to kill the complainant was made by the applicant/accused **Sahil @ Sunny** and his co-accused person. There are specific allegations in the FIR that applicant/accused **Sahil @ Sunny** was having pistol in his hands at the time of alleged offence and he fired gun shots towards complainant. Possibility of threat to complainant cannot be ruled out, if applicant/accused **Sahil @ Sunny** is released on bail.

Keeping in view of the above discussion as well as in view of the serious allegations against the applicant/accused **Sahil @ Sunny**, this court is not inclined to grant bail to applicant/accused **Sahil @ Sunny**. Present application is accordingly, dismissed.

Nothing stated herein shall tantamount to any expression of opinion the merits of the case. Copy of order be given dasti to the concerned parties. The present bail application file be tagged with the main case file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
03.12.2024