

-

In the Court of Sessions Judge,Bijnor.
Bail application no.1952/2026

1-Saleem ,

2-Waseem @ Chunwa both sons of Idrees rs/o Village Shadipur Dalla P.S
Kotwali Ctiy,Bijnor.

-Accused-applicant

Vs.

State of U.P

ORDER

This first application for has been moved on behalf of the applicant-accused **Saleem and Waseem @ Chunwa** in crime no. 34/2026 u/ss:191(2),191(3),109(1),118(1),352,351(2) and 125(B) BNS P.S Kotwali City, Distt.Bijnor.

Per prosecution complainant lodged a report that Shariyan @ Sheru of his village is hoolgan by nature who used to hang around his house while singing songs and kept staring at the girls. When his(Complainant) cousin forbade him,he on account of this enmity on 13.1.2026 at about 6.30 PM alongwith accused-persons Rizwan, Saleem,Waseem,Sakic and Iqbal surrounded him and while hurling abuses and attacked on him repeatedly. As a result he sustained serious injuries.

On the basis of this report a case at above stated crime number and section was registered against the accused-persons.

Heard the learned counsel for the accused-applicant as well as learned DGC(Crl.) for State and perused the case diary.

It is submitted on behalf of the accused-applicants that they have been implicated falsely in this case. The FIR is delayed and unexplained. No specific role has been assigned to the applicants-accused. No weapon has also been assigned to the applicants-accused. They have been booked in this matter only on account of being the relatives of co-accused persons. There is cross case which was registered at crime no. 35/2026. It has also been submitted that the co-accused Iqbal of this case has been granted interim bail up to 27.8.2026.

Learned DGC(Crl.) has opposed the bail and submitted that the accused-applicant being colluded with co-accused persons committed marpit with the injured. As a result he underwent surgery of head and he remained admitted in hospital from 14.1.2026 to 19.1.2026.

In this matter,it is alleged that the accused-applicants alongwith co-accused persons having intruded into the house of complainant gave repeated blows on injured Arman as a result he sustained greivous injuries. It is also alleged that the complainant and other witnesses

Suman, Mohd. Amzad, Asif and Nabeel Ahmed have supported the prosecution version. It is also alleged that the injured Arman has also supported the prosecution version and named the accused-applicants as assailants. It is also alleged that there are following ten injuries on the body of injured:

- 1-Red abrasion 2 cm x 2 cm on nose.
- 2-Abrasion red 3 cm x 3 cm on base of nose.
- 3-Red abrasion 2 cm x 3 cm on left side forehead.
- 4-Abraded swelling 5 cm x 5 cm on mid of forehead.
- 5-Red abrasion 4 cm x 4 cm on left forehead just above it ear.
- 6-Incised wound 4 cm x 0.5 cm x bone deep on left side of skull, 2 cm above left ear margin clear cut, fresh bleeding present. Right Ear bleeding present.
- 7-Abraded T.S 5 cm x 6 on right side skull.
- 8-Abrasion 0.5 cm x 0.5 cm on right index finger,
- 9-T.S 4 cm x 4 cm on wrist joint.
- 10-Red contusion 8 cm x 4 cm on right side lateral part of chest.

It is also alleged that in CT scan comminuted and depressed fracture of right parietal bone was noted extending to involve mastoid part of right temporal bone with associated hemomastoid. It is also alleged that **on 14.1.2026 the injured underwent surgery and debridement and removal of depressed segment was made and he was discharged on 19.1.2026.** As such, it is alleged that the surgery of head was undergone and head is the sensitive part of body. It is also alleged that had he not been undergone surgery of head, he could have died. It is also alleged that the applicants-accused along with co-accused persons had beaten the injured brutally as a result he sustained so serious injuries on head which had to be operated and he remained admitted in hospital from 14.1.2026 to 19.1.2026.

Considering the entire facts and circumstances of the case and in view of the gravity of the offence without expressing opinion regarding merit of the case at this stage, it does not appear to be a fit case for bail.

Accordingly, application of accused-applicant is rejected.

Dated: 01.7.2026

Sessions Judge
Bijnor