

SC No. 19/2025
IA No. 4/2026
State Vs. Gopal Vats & Ors.
FIR No. 192/2024
PS Jafrabad
U/s 302/34/120B IPC

05.06.2026

This is an application u/s 483 BNSS moved on behalf of applicant/accused Saad for grant of regular bail.

Present during bail arguments:-

Sh. Shiv Kumar, Ld. Substitute Addl. PP for the State.
Sh. Chetan, Ld. Counsel for applicant/accused.
IO/SI Hemant Kumar in person.

ORDER

1. It is argued by Ld. counsel for applicant/accused that he has been falsely implicated in the present case and he is in JC since 22.05.2024. Charge-sheet has been filed in the present matter. There is no eye-witness to the present case, which is based on disclosure statements of the co-accused persons that are inadmissible and cannot be used in any manner against the applicant/accused. No MI phone was seized from applicant nor he had purchased any such mobile phone and since the incident happened in front of his office, his presence there is natural and CDRs cannot come in the way of granting bail to applicant/accused as held in various judgments of Hon'ble Supreme Court and Hon'ble Delhi High Court. The case of the prosecution relies upon circumstantial evidence, which has many gaps. In the

present case, only evidence against applicant/accused is disclosure statements of co-accused persons. CDR and location chart shows that main accused persons and the present applicant/accused exchanged phone calls several times before 12 days of incident.

2. It is further submitted that nothing has been recovered from the possession of applicant/accused and early conclusion of trial is a bleak of possibility and evidence available on face of record itself proves the innocence of applicant/accused. There is no independent eye-witness, hence, the conviction of applicant/accused is very remote and he is entitled to be released on bail. Applicant/accused is not required in any kind of investigation nor his custodial interrogation is required. It is clear that there is no conspiracy whatsoever with the other accused and besides that mens rea and actus reus are totally missing. All the witnesses are formal and apart from that the applicant/accused is having good antecedent and there are no criminal cases pending against him and there is no likelihood of his absconding or fleeing from justice and no fruitful purpose would be served by keeping him in the custody. CDR data shows that his phone in which he allegedly made video, was never switched off after 04 pm on 21.05.2024. Ld. Counsel for applicant/accused has relied upon judgment titled as ***Sanuj Bansal Vs. State of UP & Anr. CRL. No. 10536/23.***

3. Ld. Substitute Addl. PP for the State has opposed the bail application on the ground of gravity of offence and that applicant/accused has played an active role in the crime and he

was part of the criminal conspiracy as he had provided the weapon i.e. knife used in the crime to the main accused and then recorded the video of the incident in which deceased was killed by the accused persons and if released on bail, he may influence witnesses.

4. IO has filed a reply and opposed the bail application and submits that the weapon was provided by the accused and he is connected with the crime as he was in contact with co-accused and his CDR connects him with the crime and in pursuance of criminal conspiracy with co-accused, he video recorded the brutal incident of murder.

5. I have heard the rival contentions of the bail application and perused the record.

6. As per the case of prosecution, on 21.05.2024, a PCR call was received that one person had been murdered. At the spot, the dead body of one person namely Shahbaz was found, who was married to one Ayesha since 5-6 months and it was love marriage, but they used to quarrel a lot and 8 months ago, Ayesha returned to her parental home and victim was murdered by his two brother-in-laws namely Salman and Zeeshan. They were arrested and they confessed the crime that Zeeshan had stabbed the victim more than 15 times with iron knife and Salman helped him by holding the victim and the crime was committed as family was unhappy with the love marriage between deceased and their sister, who used to cry. They hatched the criminal conspiracy with applicant/accused to murder Shahbaz and applicant/accused provided the murder weapon i.e. knife to them

and the commission of murder by them was recorded by applicant/accused in the mobile phone, which was recovered from him and sent to FSL, Rohini.

7. The allegations against the accused are of criminal conspiracy with co-accused Zeeshan and Salman to murder their brother-in-law Shahbaz and applicant/accused provided the iron knife and he had recorded the video. The complicity of accused is from the fact that he had provided the weapon of offence to the accused persons despite knowing that they would kill the deceased Shahbaz and he was part of the criminal conspiracy, which is evident from the fact that he was connected telephonically to the co-accused and it will be the matter of trial regarding appreciation of any evidence. IO submits that the mobile phone was seized from which accused was making video and any submission of accused that he did not have that mobile is to be established during trial and as per IO, CDR analysis of applicant/accused and other accused persons reveals that they were in contact with each other and also known to each other and on the date of incident i.e. 21.05.2024, accused was in contact with co-accused Salman prior to the incident.

8. Charges against applicant/accused are framed u/s 302/120B IPC and 120B IPC, which are grave in nature. As per PMR, there are 20 antemortem injuries and cause of death is hemorrhagic shock as a result of antemortem multiple stab injury. Injury no. 6 to 9 are sufficient to cause death individually or collectively in ordinary course of nature.

9. Considering the above facts and circumstances of the case, **the regular bail application of applicant/accused Saad is hereby dismissed.**

The bail application is accordingly disposed of.

Copy of this order be sent to Jail Superintendent concerned, IO/SHO concerned and be given dasti to Ld. counsel for accused.

(Kumar Rajat)
ASJ-07/SHD/KKD Courts/Delhi
05.06.2026