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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1965/2018 & CRL.M.(BAIL) 1311/2018**

VIJAY PAL @ SITTU Petitioner
Through: Mr. J.K. Sharma & Mr. Siddharth
Pandit, Advocates

versus

STATE (NCT OF DELHI) Respondent
Through: Mr. G.M. Farooqui, APP with Insp.
Anit Singh, PS Mehrauli

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **23.08.2018**

The petitioner prays for bail, which is vehemently opposed by the learned counsel for the State.

It is the petitioner's case that there were two persons, who are stated to be the witnesses to the petitioner having fired at the deceased, namely, Sandeep, as well as the employee of the complainant: Ashok. But both have denied the petitioner's role or even his presence at the site. According to the prosecution, the petitioner is accused of having fired two shots at Sandeep, the latter had so informed Manjeet, but Manjeet has declined that he was so informed or that Ashok was present when the petitioner had shot at Sandeep. Ashok also has declined having been shot at by the petitioner.

Mr. Farooqui, learned counsel for the State submits that the appreciation of evidence would be at a later stage. Nevertheless few factors would have to be considered i.e. two persons who were killed at a place of

work by a gang of persons including the petitioner, who assaulted them and fired indiscriminately on people at the spot. Furthermore, when some of the assaulted person present at the spot ran after one of the assailants, the petitioner shot at him. The gun from which the shots were fired was recovered on the person of the petitioner. The FSL report has proven that the shots were fired from the said gun. The crime is heinous resulting in the loss of two innocent citizens.

The learned counsel for the State also states that only 13 out of 65 witnesses have been examined and 52 more witnesses remained to be examined, if the petitioner is released on bail, he may influence the proceedings.

In view of the above, the Court finds no reason to grant bail to the petitioner.

The petition is dismissed.

NAJMI WAZIRI, J.

AUGUST 23, 2018
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