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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1351/2024**

SALMAN

.....Petitioner

Through: Mr. Nitin Kumar, Mr. Sanjay, Mr.
Devraj and Mr. Pankaj Verma,
Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for the State
with SI Chetan PS Swaroop nagar

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

14.08.2024

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1. The present Application has been filed by the petitioner under Section 439 Cr.P.C in FIR No. 531/2023 registered under Sections 186/353/307/482/427/34 IPC & 25/27 Arms Act at PS Swaroop Nagar.
2. It is submitted in the Application that his Bail Application filed before the learned ASJ North Distt, New Delhi has been dismissed vide Order dated 12.03.2024.
3. The facts in brief, are that on the basis of a secret information regarding a cow slaughter gang roaming in the area, a trap was laid in Gali no. 04-05, A-B block, Swaroop Vihar and a black Scorpio car which came from Swoop Vihar at high speed, was stopped. The present accused had allegedly fired shots at the Police official.
4. It is submitted that the Charge Sheet has already been filed in the



Court. The accused is in Judicial Custody since 07.08.2023 and any further incarceration would tantamount to pre-trial punishment. He has been falsely implicated in the present case.

The co-accused named Javed has been admitted to Regular Bail by this Court vide Order dated 07.02.2024.

5. All the witnesses are Police officials and there is no chance of tampering or hampering the witnesses. The petitioner undertakes to cooperate with the investigating agency; hence, Regular Bail is sought.

6. **The Status Report** has been handed over on behalf of the State and is taken on record wherein it is submitted that the accused had been apprehended, while the other co-accused including Javed were able to abscond. The petitioner was carrying the pistol with which he fired on the Police officials. The inspection of the car revealed some injections, *Gandasa* and rope and a fake number plate was also seized.

7. The involvement of the co accused Javed was revealed during the interrogation of the present petitioner.

8. Looking at the gravity of the offence and the possibility of jumping the Bail to commit similar types of offences, the Bail Application is opposed.

9. Submissions heard.

10. The allegations herein are that the petitioner is a part of the cow slaughtering gang and on the basis of secret information, he had been apprehended on the spot. Not only was the pistol used by the petitioner to file at the Police official recovered, but also rope, *Gandasa* and injections used to stun the cow for slaughtering, were found. Though the Charge Sheet has been filed, the Charges are yet to be framed.



11. Looking at the gravity of the offence, no case is made out for Bail and is hereby dismissed.

12. The Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 14, 2024/PT