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

+ **BAIL APPLN. 2487/2024**

SHAHID

.....Petitioner

Through: Mr. Arvind Vats, Ms. Yashika Arora,
Advs.

versus

THE STATE N.C.T. OF DELHI

.....Respondent

Through: Mr. Aashneet Singh, APP
SI Mahendra Patel, PS Narela

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **13.12.2024**

1. This is petition seeking regular bail to the petitioner in FIR No. 31/2022 registered at PS Narela under Section 302 IPC.
2. As per the FIR, it is stated that one person, namely, Ramesh was working as a daily labourer with the petitioner. The petitioner used to do junk dealer work.
3. It is stated by the complainant i.e. Rajender that on the date of the death of Ramesh at around 5:45 p.m., he had seen the petitioner and Ramesh shouting at each other.
4. Thereafter, in the evening, the complainant got to know that Ramesh had been murdered. Hence, the FIR pointing finger of suspicion at the petitioner.
5. It is stated by Mr. Vats, learned counsel for the petitioner that even though the body of the deceased Ramesh was found in the plot where the petitioner was carrying the junk dealing business, even then, at best, the case against the petitioner is that of circumstantial evidence.
6. I have heard learned counsel for the parties.



7. In the present case, there is no eye witness of the incident.
8. The reasons why the petitioner has been named in the FIR are: (a) the complainant had seen the petitioner and the deceased having heated arguments and; (b) the body of the deceased was found in the workplace of the petitioner.
9. Both the above issues are, at best, cases of the circumstantial evidence which the prosecution needs to prove at trial.
10. The petitioner has clean antecedents and there is no criminal case pending against him.
11. The petitioner has been in custody since 14.01.2022 and only 5 out of 21 witnesses have been examined till date.
12. The conclusion of trial will still take some more time.
13. The petitioner is the sole bread earner and has a family comprising of a wife and 3 minor children.
14. For the above reasons, I am inclined to allow the present petition and the petitioner is directed to be released on bail on the following terms and conditions:-
 - (a) The petitioner shall furnish a personal bond in the sum of Rs. 10,000/- (Rupees Ten Thousand Only) with one surety of the like amount to the satisfaction of the concerned Trial Court;
 - (b) The petitioner shall appear before the concerned Court as and when the matter is taken up for hearing;
 - (c) The petitioner shall provide his mobile number to the concerned IO, which shall be kept in working condition and switched on at all times. The petitioner shall also provide his permanent residential address and in case of change of residential address



or contact details, the petitioner shall promptly inform the same to the concerned IO as well as to the concerned Court;

(d) The petitioner shall not leave the country without permission of the concerned Court during the bail period and surrender his passport, if any, at the time of release before the concerned Court;

(e) The petitioner shall not directly/indirectly try to get in touch with any prosecution witnesses or tamper with the evidence.

15. Nothing stated hereinabove shall tantamount to an expression of opinion on the merits of the case.

16. The petition stands disposed of in the aforesaid terms.

17. The site plan handed over in Court today is taken on record.

JASMEET SINGH, J

DECEMBER 13, 2024 / (MS)

[Click here to check corrigendum, if any](#)