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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 3796/2024**  
**SAJID KURESHI @ SAHID** .....Petitioner  
Through: Mr. Devesh Kumar Malan, Advocate

versus  
**THE STATE OF NCT OF DELHI** .....Respondent  
Through: Mr. Laksh Khanna, APP for State  
with SI Rahul PS Maidan Garhi,  
Delhi.

**CORAM:**  
**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

% **25.11.2024**

1. By way of present bail application, the applicant/petitioner seeks regular bail in FIR No. 271/2022 registered under Sections 186/353/307/427/429/120B IPC and 4/12 DACP Act and 25/27 Arms Act at Police Station Maidan Garhi, Delhi.
2. Learned counsel for the applicant submits that the applicant is in custody since 01.07.2022 and that all the co-accused persons have already been released on regular bail. He further submits that as per the allegations levelled in the FIR, the incident pertains to 29.06.2022 when the police party had followed a car and found it to be carrying cow-meat in the trunk of the car. He also submits that it has further been alleged that on being challenged, the applicant had fired a gunshot which hit one of the police personnel on his chest, however, by virtue of wearing a bullet-proof jacket, no injury was received by the said police personnel. Moreover, he submits that the applicant was also released on interim bail vide order dated 10.02.2023, a concession which he did not misuse. Lastly, he submits that the prosecution evidence is yet to begin.



3. The bail application is resisted by learned APP for the State who submits that the applicant's role is different from the co-accused inasmuch as he had also fired the gunshot. He further submits that the recoveries effected from the car and at the spot were sent to FSL, from where a report has been received, verifying that the recovered meat and blood were of cow. Furthermore, he submits that on being challenged, the applicant fired one gunshot from a country-made pistol, and in retaliation, three gunshots were fired by the police party, one of which hit the applicant on his leg. It is stated that the aforesaid country-made pistol has also been recovered from the spot. Even the other material, including the knife used to skin the animals has also been recovered, which also supports the prosecution case. It is also stated that the applicant has other involvements.

4. At this stage, learned counsel for the applicant states that the applicant is on bail in all the aforesaid cases of other involvements.

5. I have heard learned counsel for the parties and perused the record placed before me.

6. Indisputably, the co-accused persons having a similar role except firing the gunshot have already been released on regular bail vide orders dated 14.05.2024 and 04.07.2024. Further, the alleged gunshot fired by the applicant has not resulted any injury. The ballistic report on the aspect of bullet recovered is still awaited.

7. Keeping in view the aforesaid facts and circumstances, including the period of custody already undergone, the applicant is directed to be released on regular bail subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty JMFC and subject to



the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

8. The bail application is disposed of in the above terms.

9. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.

10. Copy of the order be uploaded on the website forthwith.

11. Needless to state that this Court has not expressed any opinion on the merits of the case and have made the observations only with regard to present bail applicant and nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

**MANOJ KUMAR OHRI, J**

**NOVEMBER 25, 2024/rd**