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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 113/2025**  
**JITENDER @ JITU** .....Petitioner

Through: Mr. Sushant Rao, Mr. Siddhant Tyagi,  
Adv.

versus

**STATE OF NCT OF DELHI** .....Respondent  
Through: Mr. Naresh Kumar Chahar, APP with  
ACP Ajay Kumar, Insp. Manish Bhati,  
SI Sumit, PS Bhalswa Dairy

**CORAM:**  
**HON'BLE MR. JUSTICE JASMEET SINGH**

**ORDER**  
**21.02.2025**

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1. This is a petition seeking regular bail in Session Case No. 367/2019 arising out of FIR 164/2019 registered at PS Bhalswa Dairy under section 302/307/34 of IPC.
2. As per the FIR, one Deepak was stabbed by some unknown persons and one Charan Singh was also stabbed by Lucky *alias* Shravan.
3. After registration of the FIR, the statement of the eye-witnesses were recorded who have categorically identified that it was the petitioner who had stabbed Deepak who later succumbed to his injuries.
4. Mr. Rao, learned counsel for the petitioner states that it is the petitioner who had called the police regarding stabbing of his brother.
5. He further states that the FIR No. 164/2019 is a cross FIR and the petitioner is being framed for an offence which he has not committed.



6. Additionally, the petitioner has been in custody for 3 years 4 months and only 2 witnesses out of 36 witnesses have been examined. The petitioner was granted interim bail for 15 days and had not misused the liberty.
7. I have heard learned counsel for the parties.
8. In the present case, the allegations are only against the petitioner that he had stabbed the deceased. The eye-witnesses have clearly identified the petitioner stabbing the deceased. The eye-witnesses are yet to be examined and in case the petitioner is granted bail at this stage, the fact that the eye-witnesses will be influenced cannot be ruled out.
9. Keeping in view the fact that the petitioner has been in custody for 3 years 4 months, it is expected that the evidence of the eye-witnesses will be concluded expeditiously.
10. In case the Court is vacant, the learned Principal and Sessions Judge may assign this case to another appropriate Court for recording of evidence.
11. For the said reasons, I am not inclined to grant bail to the petitioner at this stage and hence the petition is dismissed.

**JASMEET SINGH, J**

**FEBRUARY 21, 2025/DM**

*Click here to check corrigendum, if any*