



\$~12

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

+ **BAIL APPLN. 664/2025 & CRL.M.A. 4771/2025**

GUDDU SHEIKH

.....Applicant

Through: Mr. Arvind Kumar
Shukla, Mr. Vivek Singh,
Mr. Sanskar Krishnan, Mr.
Tarun Kumar, Ms.
Bhawna Mehta, Mr.
Abhishek, Ms. Gunjan
Verma & Mr. Vishal
Maurya, Advs.

versus

STATE OF NCT DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam,
APP for the State
Inspector Kishore Kumar,
PS- Vasant Kunj North.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

28.05.2025

%

1. The present application is filed seeking regular bail in FIR No. 412/2021 dated 01.11.2021, registered at Police Station Vasant Kunj North for offences under Sections 302/34/482/201/120B of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959.

2. The FIR was registered on a complaint given by the brother of the deceased/Krishan Pal. It is alleged that the deceased had leased out a property namely Dolphin International to one Raushan Mishra who for 8-10 months had failed to pay rent and electricity bill. It is alleged that on account of the same,



the deceased had asked Raushan Mishra to vacate the property. It is alleged that the accused Raushan Mishra conspired with other accused persons to kill Krishan Pal. During the course of the investigation, accused Raushan Mishra confessed to his role in the offence, and disclosed that he in collusion with one Dilshad had conspired to kill the deceased. It is the case of the prosecution that accused Dilshad introduced accused Raushan Mishra to the applicant and his associates. He further disclosed that on his directions, the applicant and his associates killed the deceased.

3. The applicant was arrested on 05.11.2021. One witness namely Mohd. Kasir Alam identified the applicant and stated that the applicant was driving the car in which the other accused persons travelled to the place of the incident.

4. The role alleged against the applicant is that the assailants were travelling in a car which was being driven by the applicant.

5. It is alleged that the applicant was also seen in the CCTV footage sitting in the driving seat of the car in which assailants were travelling.

6. The learned counsel for the applicant submits that during the examination before the learned Trial Court, the witnesses have not identified the applicant to be the one who is seen in the CCTV footage.

7. The role attributed to the applicant, at this stage, is not that he had committed the act of murder but is that he had conspired in the commission of the murder since he carried the assailants in the car. The role alleged against the applicant is thus that he being the driver had carried the assailants to the place of the incident.



8. The applicant is in custody since 05.11.2021 and still only 9 out of 34 witnesses have been examined. The trial, thus, is not likely to conclude in near future. The applicant is stated to be of clean antecedents. In the opinion of this Court, no purpose would be served by keeping the applicant in further incarceration.

9. The applicant is, therefore, admitted on bail and is directed to be released on furnishing a bond for a sum of ₹25,000/- with two sureties of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- b. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court.
- c. The applicant shall appear before the learned Trial Court as and when directed;
- d. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- e. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

10. In the event of there being any FIR/DD entry/complaint lodged against the applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

11. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application



and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

12. The bail application is allowed in the aforementioned terms.

AMIT MAHAJAN, J

MAY 28, 2025
“SS”