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

+ **BAIL APPLN. 857/2025**

JASPREET SINGH @ MICKY

.....Petitioner

Through: Mr. Ajay Verma, Mr. Krishna Sharma
and Ms. Bhoomika Uppal, Advs.

versus

STATE OF (NCT OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP for the State
and Mr. Rajkamal, Adv.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

03.04.2025

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1. By the way of present application, the applicant is seeking regular bail in FIR No. 12/2018, registered on 14.01.2018, at Police Station Khyala, Delhi for offence punishable under Section 302 of the Indian Penal Code, 1860 (hereafter 'IPC').

2. Briefly stated, the facts of the present case are that an information was received at P.S. Khyala that a dead body was lying at Keshopur Ganda Nala, near Keshopur Depot. Subsequently, a team had reached the spot and found a dead body covered in black plastic bag, which after unwrapping, was found to be of a male aged about 35 years with injuries on chest, head and face. During investigation, the deceased had been identified as Surender Singh, by his father Sh. Bachan Singh, and the present case was registered on the statement of father of the deceased. Sh. Bachan Singh had disclosed



that while going to Gurudwara on the same day, he had found the main gate of his house locked from outside at about 08:00 am and on returning from Gurudwara, his daughter-in-law had informed him and that his son had been missing from his home since last midnight and had not been responding to her calls. Thereafter, he had received a call from his nephew Jatinder, who had asked him to come at Keshopur Ganda Nala, informing that his son's body had been found there. On the basis of the above-stated information, present FIR was registered under Section 302 of IPC.

3. The learned counsel appearing on behalf of the applicant argues that the applicant has been falsely implicated in the present case, and he has been in judicial custody for more than four years. It is also argued that the present case is based on circumstantial evidence, and that there is no eye-witness to the alleged incident who can support the case of prosecution *qua* the applicant. It is further submitted that the applicant herein has no previous involvement in any criminal case. Therefore, it is prayed that applicant be released on regular bail.

4. The learned APP appearing for the State, on the other hand, opposes the present bail application and argues that the allegations against the applicant are grave and serious in nature, and there is sufficient evidence on record to connect the present applicant with the offence in question. It is submitted that the applicant had been granted bail for seven days for surgery of his ailing wife by the learned Trial Court, however, he did not surrender and non-bailable warrants had been issued against the applicant, and he had been later arrested again. It is contended that the applicant may jump the bail, tamper with the evidences or threaten the witnesses, if released on bail.



Therefore, it is prayed that the present bail application be rejected.

5. This Court has **heard** arguments addressed on behalf of both the parties and has perused the material available on record.

6. In the present case, this Court notes that the Call Detail Records (CDR) analysis had revealed that the present applicant had called the deceased, a day before the deceased's body had been found, and accordingly, he was called to join investigation. It is the prosecution's case that the present applicant had disclosed that victim/deceased had illicit relationship with his wife Manpreet (co-accused) and thus, both of them had eventually decided to kill the victim. As per plan, the accused persons had allegedly called the victim to their house and had served with *kheer* laced with cetirizine tablet. Once the victim had become unconscious, both of them had killed the victim and disposed of his body.

7. It is material to note that during investigation, both the accused namely Manpreet Kaur and Jaspreet Singh were arrested and weapons used in the commission of offence i.e. blood stained broken hammer and wooden *balli* were recovered at their instance. The scooty of the victim was also recovered at the instance of accused persons and they had also disclosed the spot where they had burnt the blood stained clothes. The FSL result of all exhibits was also placed on record. As per FSL result, the blood of the deceased had matched with blood on the weapons used for the commission of offence, which were recovered at the instance of the accused persons.

8. The post-mortem report of the deceased in this case reflects the manner in which the applicant, alongwith co-accused, had allegedly murdered him by causing him multiple injuries. The post- mortem report



opined as follows: “*Head injury via injury no. 1,2,3, and 4 which are sufficient to cause death in ordinary course if injury, individually and collectively Injury number 1 to 7 are caused by blunt force trauma. Injury no. 8 is caused by ligature material. All injuries are ante mortem in nature and fresh in duration. Injury no. 8 is possibly by ligature material i.e. Chunni and two ropes recovered from around the neck. The manner of death is homicidal*”.

9. A perusal of record reveals that the present applicant/ accused had also engaged in destruction of evidence, by employing a painter at the site of the incident. PW-6, Shri Virender @ Montu, in his testimony has disclosed that he had painted two walls of the house of accused at their asking.

10. This Court also takes note of the fact that when the applicant had been granted interim bail for a period of one week in November, 2023, he had not surrendered on the expiry of period of interim bail and had been later arrested on 31.01.2024. Out of 32 prosecution witnesses, 26 witnesses have been examined so far, who have supported the case of the prosecution. The Hon’ble Supreme Court in ***X v. State of Rajasthan: SLP(Crl.) 13378/2024*** has observed that ordinarily, in offence like rape, murder, dacoity, etc., once the trial starts commences and the prosecution starts examining the witnesses, the Courts should be loath in entertaining bail applications of the accused.

11. In view of the reasons recorded hereinabove, this Court finds no ground to grant regular bail to the applicant at this stage.

12. Accordingly, the present bail application stands dismissed.

13. It is, however, clarified that nothing expressed herein above shall



tantamount to an expression of opinion on merits of the case.

14. The order be uploaded on the website forthwith.

APRIL 3, 2025/A

DR. SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any