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

+ **BAIL APPLN. 1043/2025**

**SAHAJAHAN KHATOON @ SAJJAN KHATOON**

**@ SANDHAI**

.....Petitioner

Through: Mr. Ankaj Giri, Advocate.

versus

**THE STATE (NCT OF DELHI)**

.....Respondent

Through: Mr. Aman Usman, APP for State with  
Insp. Anuj Kumar, PS- Moti Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE RAVINDER DUDEJA**

**ORDER**

**07.04.2025**

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1. Mr. Ankaj Giri, learned counsel appearing for the petitioner, submits that it is a case of no evidence against the applicant/accused. It is submitted that the name of the applicant does not find mention in the FIR and except for the disclosure statement, there is no evidence against the applicant/accused.

2. It is further submitted that complainant, Nafees @ Md. Jamil could not identify the present applicant in the TIP. She has been identified only by one witness named Saif Ahmed. It is also submitted that role attributed to the present applicant is that she along with another lady came there and made beatings with dandas but the post mortem report does not reveal any external injury caused by dandas. There is no recovery of danda from the present applicant.



3. It is further submitted that charge sheet has already been filed and applicant is in judicial custody since 14.01.2025 and is not required for any further investigation or interrogation.
4. Learned APP under instructions fairly states that the role of the present applicant and co-accused Rozida is that they came and gave beatings to the complainant after the incident of alleged stabbing. That being so, the rigours of Section 103 BNSS, 2023 is not prima facie made out against the applicant as the deceased had already been stabbed before the applicant and the co-accused Rozida reaching the spot. The post mortem report of the deceased does not show any external injury on the person of the victim.
5. The nominal roll does not indicate any previous criminal antecedents of the applicant. Charge sheet has since been filed, and therefore, applicant is not required for any custodial investigation. Charge has yet not been framed. The trial may thus take time to conclude.
6. Considering the totality of the facts and circumstances and in particular the role of the present applicant/accused, the bail application is allowed and the petitioner/applicant is admitted to bail subject to furnishing a bail bond of Rs. 30,000/- with surety of like amount to the satisfaction of learned trial Court/Duty Magistrate, subject to condition that she would appear regularly before the learned trial Court as and when directed and shall not try to threaten or intimidate the witnesses.
7. It is made clear that observations made in the order are for the purpose of disposal of the bail application and such observations shall not be considered while deciding the case on merits.

**RAVINDER DUDEJA, J**

**APRIL 7, 2025/vd/r/i**