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

+ **BAIL APPLN. 2959/2025**

GUDDU ALIAS AKBAR

.....Petitioner

Through: Mr. Prashant Mendiratta, Mr. Akshat Kaushik, Ms. Vaishnavi Saxena, Mr. Sajid Ahmed and Mr. Firoz Iqbal Khan, Advocates

Versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

15.10.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 18/2017, registered at Police Station Moti Nagar, Delhi, for the commission of offences punishable under Sections 302/201 of Indian Penal Code, 1860 (hereafter '*IPC*').

2. The brief facts of the present case are that on 12.01.2017, a PCR call *vide* DD No. 31A, was received at PS Moti Nagar, Delhi, reporting that a man was found lying without clothes in a slum near the Jakhira bus stop, Delhi. On reaching the spot, the police officials had discovered two male dead bodies lying a few feet apart in the bushes on a DDA land near the L&T wall of the slum area. Thereafter, a case under Sections 302/201 of IPC was registered.



3. During the course of investigation, one of the deceased persons was identified as Mohd. Gulzar @ Babu by his wife, Smt. Nasima, and the other as Anil Shah @ Shankar by his father-in-law, Sh. Dinesh Shah. The investigation further revealed that on 09.01.2017, the two victims had been last seen proceeding towards the forest near Jakhira bus stand along with the present applicant. The applicant was thereafter arrested on 18.01.2017. During his interrogation, he admitted his role in the conspiracy and murder, disclosing that Gulzar had been extorting money from him and the co-accused and had recently demanded an increase from ₹1000 to ₹2000 per week. Aggrieved therefrom, the applicant had conspired to kill him. Further, allegedly, acting on their plan, the applicant, alongwith his associates, had lured Gulzar and his companion Anil into the forest on the pretext of consuming liquor, whereafter they had strangled the two with a *gamchha*, and finally disfigured their faces with bricks and stones to conceal their identities. Thereafter, stolen articles such as purses, shoes, and bags were recovered. Furthermore, it is stated that the applicant had also confessed to having looted the victims' wallets, mobile phones, shoes, and other belongings, and to have burnt their blood-stained clothes thereafter to destroy evidence. Additionally, it is stated that the post-mortem reports confirmed that both deaths had resulted from asphyxia and blunt head injuries, sufficient to cause death, which fact has been corroborated by the CDR analysis. Based on the said allegations, the charge sheet under Sections 302/201/120B/379/411/34 of IPC came to be filed qua the present applicant.

4. The learned counsel appearing on behalf of the applicant argues that the applicant has been falsely implicated in the present case, and he has in



judicial custody since 23.04.2022. It is argued that after being granted interim bail under the HPC guidelines, , the applicant had surrendered on time. Further, it is argued that no incriminating evidence has been found against the present applicant – be it the FSL report or otherwise. Thus, it is prayed that the applicant be granted regular bail.

5. The learned APP for the State, on the other hand, argues that the allegations against the applicant are grave and serious in nature. It is argued that all the accused persons and the present applicant were last seen in the company of the deceased and the CDR location of the present applicant corroborates his presence at and around the spot of commission of offence. It is further contended that during the investigation, the belongings of deceased Anil Shah@ Ashok i.e. his shoes, had been recovered at the instance of the present accused/applicant. Therefore, it is prayed that the bail application of the accused be rejected.

6. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material available on record.

7. This Court notes that material witnesses have already been examined in the present case, and there is no previous involvement in any other criminal case of the applicant. Further, when the accused persons in the present case had been granted interim bail as per HPC guidelines, the applicant had surrendered in time and his conduct in the jail has also been satisfactory. Furthermore, given the present stage of the case, this Court is of the opinion that the trial will still take some time to conclude.

8. Therefore, considering the overall facts and circumstances of the case this Court is inclined to grant regular bail to the applicant herein, on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the



like amount, subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a passport, he shall surrender the same to the concerned trial court.
- ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court and IO/SHO concerned.
- iii) The applicant shall appear in Court on every date of hearing unless exempted;
- iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.

9. Accordingly, the present bail application stands allowed and is disposed of.

10. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

OCTOBER 15, 2025/zp