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

+ **BAIL APPLN. 3594/2024**

FAZRUDDIN @ NANWA

.....Petitioner

Through: Mr. Ayaz Ahmed, Adv.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Ms. Priyanka Dalal, APP
Inspector Prem Kr., PS Neb Sarai

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

**ORDER
20.01.2025**

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1. This is a petition filed under Section 439 of Cr.PC seeking grant of regular bail in FIR No. 59/2020 under section 302 of IPC registered at Police Station Neb Sarai.
2. As per the FIR, it is alleged that the petitioner being the husband of the deceased strangled the deceased.
3. It is stated by the learned counsel for the petitioner that the petitioner has been in custody since 04.02.2020 and none of the witnesses have supported the case of the prosecution. Further, out of 22 witnesses cited by the prosecution, 16 witnesses have been examined and 6 are still remaining.
4. Ms. Dalal, learned APP states that even though the witnesses have not



supported the case of the prosecution, there are circumstantial evidences against the petitioner.

5. The fact of the matter as of today is that the petitioner continues to be in jail as an under trial prisoner. All material/public witnesses have been examined and have not supported the case of the prosecution on material aspects. As of today, the petitioner has already been in custody for almost 5 years, there is no other criminal case registered against him. The conduct of the petitioner in jail is satisfactory.
6. For the said reasons, the petitioner has made out a case for grant of bail. Hence, the petition is allowed and the petitioner is directed to be released on regular bail subject to the following terms and conditions:
 - (a) The petitioner shall furnish a personal bond in the sum of Rs. 10,000/- (Rupees Ten Thousand Only) with one surety of the like amount to the satisfaction of the concerned Trial Court;
 - (b) The petitioner shall not leave the country without permission of the concerned Court during the bail period and surrender his passport, if any, at the time of release before the concerned Court;
 - (c) The petitioner shall provide his mobile number to the concerned IO, which shall be kept in working condition and switched on at all times. The petitioner shall also provide his permanent residential address and in case of change of residential address or contact details, the petitioner shall promptly inform the same to the concerned IO;
 - (d) The petitioner shall not directly/indirectly try to get in touch with the family of the victim.



- (e) The petitioner shall appear in Court on every date of hearing unless exempted;
 - (f) The petitioner shall not communicate with, or come into contact with any of the prosecution witnesses, or tamper with the evidence of the case.
- 7. A copy of this order be communicated electronically to the concerned Jail Superintendent for information and necessary compliance.
 - 8. The petition stands disposed of in the aforesaid terms.

JASMEET SINGH, J

JANUARY 20, 2025/sp

Click here to check corrigendum, if any