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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3578/2025, CRL.M.A. 28117/2025 & 28119/2025**
SAURABH NAGAR

.....Petitioner

Through: Mr. Anil Devlal, Ms. Rita, Ms. Neetu
Badolia, Mr. Rakesh Tiwari & Mr.
Rajesh Kumar, Advocates.

versus

STATE THROUGH SHO PS GHAZIPUR

.....Respondent

Through: Mr. Shoaib Haider, APP for State.
Mr. S.N.Qureshi & Mr. Jitendra
Kumar, Advocates for Complainant.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

17.11.2025

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1. First Anticipatory Bail Application under Section 482 B.N.S.S. read with Section 528 B.N.S.S. has been filed on behalf of the Petitioner Saurabh Nagar for grant of Anticipatory Bail in case FIR No.0237/2025 under Section 109(1)/3(5) BNS and Section 27 of Arms Act registered at Police Station Ghazipur, Delhi.
2. It is submitted that the first Anticipatory Bail Application under Section 482 BNS was dismissed by learned ASJ on 28.05.2025. The second Anticipatory Bail Application was dismissed as withdrawn on 03.09.2025.
3. It is submitted that main accused Prince Hoon is the brother-in-law of the second elder brother of the Applicant Amit Nagar, who is working as a bouncer/security guard at Bang-Bang Club, Kaushambi, Uttar Pradesh. On 14.05.2025 after the Birthday party of Preet Kasana (now deceased) got over, Lalit Kumar Bhati i.e. the Complainant, Rinku Chwda, Sonu, Sumit



and 15-16 other persons reached in front of the Club at about 11:45 PM in a highly drunk condition. They were armed with deadly illegal weapons and they started a ruckus. Prince Hoon being a security official of the Club, came out and tried to calm these persons, but they began to insist to come inside the Club for more alcohol. Preet Kasana lived with his maternal uncle (Mama) Yogesh Bhati who has a political and notorious criminal background. A murder is registered at P.S. Ghazipur against Mohit and Kaku son of Yogesh Bhati who are in judicial custody in the said murder case. The wife Reena Bhati wife of another uncle of Preet Kasana was the Chairman of Municipal Corporation of Khorha in her last tenure. Gajji Bhati, husband of Reena Bhati was murdered in a shooting in mutual enmity and the entire community lives in fear.

4. When the Complainant Lalit Kumar along with Rinku Chawda, Preet Kasana and their other companions, reached at the above mentioned Club, all of them were armed with illegal weapons and were in a frenzy because of their criminal background. Prince Hoon tried to talk to them politely, but with strictness. The maternal Aunt of Preet Kasana who was the Chairman of Municipal Corporation knew Prince Hoon very well, because of which they all agreed with Mr. Prince and entered inside the Bang Bang Club. Prince Hoon requested them to be calm, but after entering into the Club they got down to their antics again. Lalit Kumar, Rinku Chawda and Preet Kasana and their companions, in order to scare the others, started showing their illegal weapons in drunk condition and uploaded the video of the same which is available with the Applicant. The photographs of drinking and keeping illegal weapons of the Complainant and others in order to create an impression.



5. After entering into the Club and sitting on the table they i.e. Lalit Kumar, Rinku Chawda, Preet Kasana and their other companions started consuming alcohol and misbehaving with the girls and other people who were sitting or were moving around and also started threatening all the people. Thereafter, they stepped out of the Club and started threatening the people present there and started using abusive language because of which the ambience of the Club inside as well as outside, became tense and it became mismanaged.

6. These people got more violent with their numbers, weapons and criminal background and they started threatening everyone without care. On seeing their deeds and rampant violent nature and to avoid any mishap and serious incident, Prince Hoon being the Security Officer of the Club in discharge of his duty, tried to make them understand but they started misbehaving with him. When he called them out of the Club, then they all started physically assaulting him as well.

7. In the meanwhile, Manager of the Club Mr. Praveen Dedha came and tried to calm the situation but rather than listening and understanding to him, the Complainant and his companions got more violent. On provocation of Lalit Kumar and Rinku and other companions, Preet Kasana took out his pistol and tried to fire in the air. In between Lalit Kumar, Rinku Chawda and other companions were continuously provoking Preet Kasana, to fire.

8. In the meanwhile, owner of the Club reached and he informed the Police about the deeds of these persons especially about Preet Kasana, but as the Police arrived these people ran away through another gate of the Club. The video footage of this entire incident is available with the Club, but the owner of the Club has refused to give the same. On repeated request of the



Police, he stated that he has already deleted the same. This video footage is apparent testimonial of the deeds of the aforementioned people/anti social persons which is important to be recovered from the owner of the Club and is necessary to take action against these persons.

9. After going from the aforesaid Club, at about 01:30 A.M on 15.05.2025, Prince Hoon received a call from Lalit Kumar and Rinku Chawda that they were abusing and threatening to kill him and thereafter, Prince Hoon disconnected the call. Rinku Chawda then called Prince Hoon 10-15 times repeatedly which is evident from the Call Detail Record of his mobile.

10. Seeing the deeds of the aforementioned people and observing their furious nature, Prince Hoon called his brother-in-law Saurabh Nagar i.e. the Applicant and informed him about the matter. The Applicant then called the maternal Uncle of Preet Kasana i.e. Yogesh Bhatti (Mintoo) and told him about the deeds of these persons and Preet Kasana as well and requested him to make them understand and to call them home. Thereafter, Yogesh Bhatti call Preet Kasana to his home.

11. After sometime, at around 01:45 AM Lalit Kumar and Rinku Chawda took back Preet Kasana with them from his house and reached CNG Pump near the Paper Market, Ghazipur, where they waited for Prince Hoon, because he had to return to his house through that way after finishing his duty. Prince Hoon who was on his way back home to Ckhorha Colony reached CNG Pump, where he was stopped by Lalit Kumar, Rinku Chawda, Preet Kasana and other companions. At first Preet Kasana asked Lalit Kumar to shoot Prince and on provocation of others, Preet Kasana took out his pistol and put it on the chest of Prince and the Complainant started arial



firing. In continuation of this scene, Preet Kasana tried to kill Prince Hoon, on which Prince tried to escape. On this, the companions of Preet chased them with lathi, dandas and assaulted and kept Prince in front of Preet. Therein Prince tried to save himself and in this push and shove to keep pistol away from Preet Kasana, the pistol got fired and Preet Kasana was hit. He later died during the course of treatment.

12. On receiving information from Prince, Applicant reached the spot to save him and saw everyone running. Thus, observing the situation, the Applicant tried to rush towards P.s. Ghazipur, when Lalit Kumar, Rinku Chawda and others restrained him and threatened to assault and threatened that if he would go to the Police Station, they would kill him. The Applicant then rushed back to his home, out of fear. Thereafter, the FIR No.0237/2025 was registered and Prince was arrested.

13. It is evident that the aforesaid incident occurred only due to criminal tendency, malafide intention of keeping illegal weapons and to provoke the deceased for fighting, by Lalit Kumar, Rinku Chawda and other known persons. The Complainant had refrained the Applicant to inform the Police about the incident by extending threats to him. The CCTV cameras though were installed at the spot, has been denied by the Police.

14. The Applicant had lodged his written Complaint dated 23.05.2025 to the SHO, but due to haste, complete facts could not be mentioned. The Applicant has complete proof regarding the deeds of the aforementioned people which are clearly indicating that they were responsible for this incident. Prince Hoon was neither having any type of weapon nor did he attempt to harm anyone and according to the facts and circumstances it is proven that the Applicant was not present on the spot at the time of the



incident. Even though true facts were told to the Police about the aforesaid incident, no heed was paid by the Police. Yogesh Kumar elder brother of the Applicant, lodged his grievance through email dated 13.07.2025 to SHO, P.S. Ghazipur.

15. **The Bail is sought on the grounds** that the Applicant is not involved in the activity and had not role to play in the incident. The case moved around deceased, Lalit Kumar, Rinku and other companions and the incident took place only because of provocation of these persons as they were asking to kill Prince Hoon.

16. The Police has failed to collect the CCTV Footage from near the scene of incident. The CCTV Footage from the owner of Bang Bang Club is also not seized.

17. The Police has also failed to collect the mobile location of the Applicant along with the Call Detail Records with Yogesh Bhatti, Mama of the deceased, which would clearly establish that he was not present at the spot when the main incident took place. The video of the spot had not been collected by the Police. The habits and conduct of the deceased, his companions and his relatives has not been taken note of during the investigations.

18. The Applicant is a boy of tender age and has responsibility of his family. This false implication can spoil his entire life. A prayer is therefore, made that he be granted Anticipatory Bail.

19. **A detailed Status Report has been filed** on behalf of the State, wherein while detailing the incident it has been stated that Preet Kasana died because of the gun shot injury. Statement of Complainant Lalit Kumar was recorded who explained the entire circumstances. The Crime Team was



called at the spot. During the investigations, co-accused Prince and Parveen were arrested. At the instance of Prince, the weapon of offence was recovered from his sister's house where he was residing. The raids were conducted to apprehend the co-accused persons, which included the Applicant and Rinku Kumar Dedha, but they are still absconding. Preet Kasana was discharged from the Hospital on 15.06.2025, but he was re-admitted on 16.06.2025 on account of complications and he died. The Status Report be taken on record.

20. During the investigations, Non Bailable Warrants of the Applicant were issued, but he avoided the same. Chargesheet has been filed against Prince Hoon and Praveen.

21. Proceedings under Section 84 Cr.P.C were executed against the Applicant and he has been declared Proclaimed Offender, vide Order dated 09.10.2025. The co-accused Kapil Nagar is also avoiding his arrest. The Anticipatory Bail is opposed on the grounds of seriousness of the offence, eye witness, identification of the Applicant. The co-accused Kapil is absconding and not cooperating during the investigations. One Breeza Car was used during the offence which is required to be recovered.

Submissions heard.

22. The Applicant has claimed that he is innocent person who has been falsely implicated in this case. However, it cannot be overlooked that he has failed to join the investigations. As per the statements made by the State, the CDR details of the Applicant had matched with the place of incident. The weapon of offence i.e. country made pistol has been recovered at the instance of the co-accused Prince from his house. The Applicant is absconding and has been declared proclaimed offender. The eye



witness/Complainant has specifically named the Applicant and his statement has been recorded in regard to the incident.

23. The investigations are at the initial stage which are being hampered on account of the Applicant not joining the investigations.

24. Considering the specific role attributed to the Applicant in this alleged offence of murder of Prince, no case is made out for grant of Anticipatory Bail to the Applicant.

25. The Bail Application is dismissed and accordingly disposed of along with the pending Application(s).

NEENA BANSAL KRISHNA, J.

NOVEMBER 17, 2025/va