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

\# **CNR No. DLHC010240812026**

\+ **BAIL APPLN. 2058/2026**

MUBEEN AZAD SAIFI .....Petitioner

Through: Mr. Harish Chand, Mr. Anant Chittoria, Mr. Deepak Kumar and Mr. Harsh Kumar, Advs.

versus

STATE (N.C.T.OF DELHI) & ANR. .....Respondents

Through: Ms. Meenakshi Dahiya, APP along with Ms. Vanshika Singh and Mr. Bhanu Pratap Singh, Advs.

CORAM:
HON'BLE MS. JUSTICE MADHU JAIN

O R D E R

% 01.10.2026

1. This hearing has been done through hybrid mode.

2. By way of the present petition filed under Section 483 of the Bharatiya Nyaya Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS'), the applicant is seeking grant of regular bail in connection with ***FIR No. 414/2020*** filed under Sections 25, 54, and 59 of the Arms Act, registered at P.S. Mehrauli, Delhi.

3. Learned APP has handed over the status report in the Court. Let the same be taken on record.

4. Learned counsel for the Applicant submits that the Applicant has been in custody for more than six years. He further submits that, out of 22 witnesses, only eight witnesses have been examined and, therefore, the trial is likely to take time. He further submits that the co-accused in the present

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case has already been released on bail and, therefore, on the ground of parity, the Applicant is also seeking bail.

5. Per contra, learned APP for the State submits that it was the present Applicant who shot the deceased and thereafter handed over the weapon of offence to the other co-accused, who has been granted bail. She further submits that, though the Applicant himself took the deceased to the hospital, the deceased stated to his wife at the hospital that it was the Applicant who had shot him. She further submits that the wife and the other two witnesses have completely supported the case of the prosecution before the Trial Court. She submits that only the eyewitness in the case has turned hostile. The FSL report is also in favour of the prosecution, as the bullet fired at the deceased was found to have been fired from the same weapon of offence allegedly used by the Applicant. She further submits that there are two other prior cases against the Applicant under Section 302 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC').

6. This Court has heard both the parties and carefully perused the material on record.

7. As per the status report as well as the testimony of the wife of the deceased, it was the Applicant who shot at the deceased. Though thereafter he took the deceased to the hospital, the same does not lessen the gravity of the offence.

8. Furthermore, the Applicant has two criminal antecedents under Section 302 of the IPC. Though he was granted bail in those cases, it appears that he has misused the liberty granted by the Court and has allegedly committed another offence under Section 302 of the IPC.

9. Keeping in view the nature of the allegations and the gravity of the

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offence, no ground for grant of bail is made out.

10. The present bail application, along with any pending application(s), is dismissed.

11. The order be uploaded on the website forthwith.

MADHU JAIN, J

OCTOBER 1, 2026/*prg/yt*

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