



\$~4

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

+ **BAIL APPLN. 3950/2025 & CRL.M.A. 30825/2025**

NAZMA

.....Petitioner

Through: Mohd. Shamikh and Ms. Sumera,
Advts.

versus

STATE OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP.
PS: Mayur Vihar, SI Ajay Sharma.
Mr. Shiv Chopra, DHCLSC
(Advocate) for R-2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **02.07.2026**

1. The present application under Section 439 of the Code of Criminal Procedure, 1973 [Cr.PC]/ 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [BNSS] is for grant of regular bail in FIR No.89/2022 for offences punishable under Section 201/302/34 IPC registered at Police Station Mayur Vihar, Delhi, which has culminated in Sessions Case no.466/2022.
2. It is submitted on behalf of the applicant that the applicant is an old lady and has remained in jail for more than four years. She has not committed any offence and has been falsely implicated.
3. The submissions are strongly opposed by Ms. Shubhi Gupta, learned Additional as well as the counsel, who appears for the complainant. Both of them have tried to demonstrate overt act on behalf of the applicant. They,



therefore, submit that merely on the ground of the length of custody of the applicant, she should not be enlarged on bail.

4. I have considered the submissions made by learned counsel appearing for the parties and have perused the record.

5. The prosecution case would indicate that one Salman was stabbed by Fardeen @ Addu. The present applicant is the mother of Fardeen @ Addu. The present applicant along with her son Farhan and her daughter Farina are in jail. There are total five accused. Three of them, are the family members and two are outsiders. The applicant was arrested on 18.05.2022. After investigation, the chargesheet was filed and the trial has commenced.

6. One of the eye witnesses PW5, namely, Imran, who is the brother of the deceased has turned hostile. PW1, namely, Smt. Maqsuma Khatoon is the mother of the deceased. If the evidence of the PW1 is considered in the right perspective, it would *prima-facie* indicate that the role assigned to the present applicant is of exhortation and no overt act is attributed to her. This Court, however, refrains from rendering any further findings.

7. Bearing in mind the overall circumstances and the fact that the applicant is a female and is in jail since 18.05.2022, the applicant deserves to be enlarged on regular bail on the following conditions:

- a) The petitioner shall furnish a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with 01 surety in the like amount from a family member, to the satisfaction of the learned trial Court;
- b) The petitioner shall furnish to the Investigating Officer a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;



- c) If the petitioner has a passport, she shall surrender the same to the learned trial court and shall not travel out of the country without prior permission of the learned trial court;
 - d) The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial; and
 - e) In case of any change in her residential address/contact details, the petitioner shall promptly inform the Investigating Officer in writing.”
8. Application is disposed of.
9. Order *dasti*.

PURUSHAINDR KUMAR KAURAV, J

JULY 2, 2026/P