

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/  
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2331/2021  
FIR No. 501/21  
U/s 307/34 IPC & 25/54/59 Arms Act  
P.S. Subzi Mandi  
State Vs. Seema

07.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

**Present application u/s 438 Cr.P.C. has been filed on behalf of applicant/accused Seema for grant of anticipatory bail.**

Present: Sh. Maneesh Kumar Shukla, Ld. Addl. PP for State.  
Sh. Yashpal Bharti, Ld. Counsel for applicant.  
Sh. S.K. Verma, Ld. Counsel for complainant alongwith complainant.  
IO/SI Vijay Singh also present.  
Reply of IO received.

**ORDER ON BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant /accused submitted that the FIR has been wrongly registered against the applicant / accused Seema. It was

contended by Ld. Counsel for applicant/accused Seema that accused Seema was not at the spot. Ld. Counsel for applicant/accused has placed on record affidavit of the complainant/injured to contend that applicant Seema was not at the spot.

3. *Per contra*, Ld Addl. PP for the State alongwith with the IO, vehemently opposed the anticipatory bail application as per law. It was submitted that the knife was given by the CCL Pankaj to co-accused Saleem @ Parvej who inflicted stab wound to the complainant herein.
4. Submissions heard and record perused.
5. The Court had interacted with the complainant and is not convinced about his voluntariness qua the averments contained in the affidavit. When asked, the complainant was not even aware of the contents of his affidavit. The complainant is changing his statement time and again qua the presence of applicant/accused Seema at the spot, presence of public persons at the spot and the manner in which he reached the hospital.
6. During the course of arguments it was brought to the fore that a heinous offence has been committed in as much as multiple stab wound were inflicted upon the complainant. It was pointed out that it was applicant/accused Seema who gave information to CCL Pankaj and co-accused Saleem @ Parvej that complainant and applicant/accused Seema were present in the park. Further, it was also brought to the fore that after stabbing the complainant, all three i.e. accused Seema, CCL Pankaj and Saleem @ Parvej left the spot. Applicant/accused Seema did not cry for help, nor called 100 number, and did not even help the complainant herein by taking him to the hospital.

7. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails, the role attributed to the accused herein coupled with the fact that investigation is at nascent stage, this Court is of the opinion that the accused ought not to be granted anticipatory bail at this juncture. Accordingly, the present anticipatory bail application is hereby dismissed.
8. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the anticipatory bail application stands disposed off.
9. Copy of the order be uploaded on the website of the District Court.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/07.09.2021**