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

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*Date of Decision: 27.04.2026*

+ **BAIL APPLN. 855/2026**

UMAR

.....Petitioner

Through: Mr. Jitendra Kumar, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State  
with Inspector Dheeraj Kumar and SI  
Hemant Kumar, PS Jafrabad.

**CORAM: JUSTICE GIRISH KATHPALIA**

**J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 179/2024 of Police Station Jafrabad for offence under Section 302/102B/201/34 IPC and Section 25/27 of the Arms Act.

2. Broadly speaking, prosecution case is as follows. By way of DD No. 95A dated 10.05.2024, an information was recorded at PS Jafrabad that one Nazim had been killed. On reaching the spot, the investigating officer found the dead body in a pool of blood with several live/empty cartridges found scattered around the dead body. After shifting the dead body to the hospital



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for post mortem, FIR was registered. On analysis of CCTV installed in the vicinity, coupled with “*secret information*”, the police came to the conclusion that three persons namely Samad, Shaif and Haroon were the assailants. The assailants were arrested and pistols as well as live cartridges were recovered from their possession. In police custody, the alleged assailants gave a disclosure statement that they committed murder of Nazim on instructions of the present accused/applicant Umar, who was acting on the instructions of the jailed gangster Sohail @ Chappal; and the alleged assailants also disclosed that the arms and ammunitions as well as mobile phones used in killing Nazim were supplied to them by the present accused/applicant, who also gave them shelter after the alleged killing.

3. Against the above backdrop, learned counsel for accused/applicant submits that there is no legally admissible evidence against him but he is suffering incarceration since 28.05.2024.

4. Learned APP for State assisted by IO/Inspector Dheeraj Kumar submits that apart from disclosure statements of co-accused persons, which were recorded when they were in custody, there is no other evidence against the accused/applicant. It is also submitted that there is no evidence to show that the present accused/applicant harboured the alleged assailants after the murder, except that he pointed out the house where the alleged assailants took shelter subsequent to the offence and also pointed out the place where he destroyed the mobile phones. However, the bail application is opposed on the ground that the offence alleged is serious in nature and that the accused/applicant had absconded initially.



5. So far as the pointing out of the house is concerned, admittedly, it was not the discovery of a new fact, insofar as the IO was already aware of that house on the basis of disclosures of the assailants. In this regard, the IO submits at this stage that the alleged assailants were taken to the spot where they had taken refuge after the alleged killing, but they could not identify that spot. As regards the place where the mobile phones were allegedly destroyed, there is no material to show even existence of any such mobile phones.

6. No doubt gravity of the offence alleged is a vital factor while considering grant of bail. But while analysing the gravity of offence, the court shall not ignore the relevant material collected during investigation to connect the accused/applicant with the alleged offence. As mentioned above, in the present case, the only evidence against the accused/applicant is the disclosure statements of the assailants recorded when they were in police custody.

7. In view of the aforesaid, I find no reason to deprive liberty to the accused/applicant any further.

8. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like amount to the satisfaction of the Trial Court.

9. It is specifically directed at request of learned prosecutor that the accused/applicant shall not contact any of the prosecution witnesses in any



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manner, whatsoever.

10. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH KATHPALIA  
(JUDGE)**

**APRIL 27, 2026/dr**