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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
 % *Date of decision: 29<sup>th</sup> July, 2025*

+ **BAIL APPLN. 2052/2025, CRL.M.A. 16816/2025**

**VINIT GOSWAMI**

S/O Sh. Sundar Goswami

R/O: Village Bamheta,

Kavi Nagar, Ghaziabad, Uttar Pradesh.

.....Petitioner

Through: Mr. Suraj Prakash Sharma and  
 Mr. Sahil, Advs.

versus

**THE STATE (NCT OF DELHI)**

through SHO, P.S.: Daryaganj

.....Respondent

Through: Mr. Utkarsh, APP for the State with  
 Inspector Ichha Ram, PS: Daryaganj.  
 Mr. Nasir Kamal, Advocate for  
 Complainant.

**BAIL APPLN. 2580/2025**

**SHOAIB SAIFI**

S/O- Mohd Yamin Saifi

R/O: H.No. 262, West Khushl Nagar,

Tara Puri, Near Haji Akhiaque

Charitable Hospital, Meerut, U.P.

.....Petitioner

Through: Mr. Jagdeep Sharma, Sr. Advocate  
 with Mr. Irshad, Mr. Jaiveer,  
 Mr. Kartikay Sharma, Ms. Shreya and  
 Mr. M. Goel, Advocates.

versus

**THE STATE OF NCT OF DELHI**

through SHO, P.S.: Daryaganj

.....Respondent

Through: Mr. Utkarsh, APP for the State with  
 Inspector Ichha Ram, PS: Daryaganj.  
 Mr. Nasir Kamal, Advocate for



Complainant.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

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

1. First Bail Applications under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 have been filed by the Applicants Vinit Goswami and Shoaib Saifi respectively seeking Regular Bail in FIR No.0191/2022, under Sections 302/120B/34 IPC and Sections 25/27 Arms Act, registered at PS: Daryaganj, Delhi.
2. It is submitted that Applicants Vinit Goswami and Shoaib Saifi are in judicial custody since 26.05.2022 and 25.05.2022 respectively. The Bail Applications filed on behalf of Vinit Goswami and Shoaib Saifi were dismissed by the Ld. ASJ on 25.03.2025 and 06.06.2025 respectively.
3. The Applicants have contended in their respective Bail Applications that they have been falsely implicated in these cases and they belong to well-off family background and have not been involved in any offence.
4. Bail is sought on the ground that co-accused Afsar has already been granted Bail by the learned Trial Court vide Order dated 06.03.2025 and Applicants, on the principle of parity, are also entitled to be released on Bail.
5. It is further contended that grounds of arrest were not communicated to them under Section 50 Cr.P.C., which vitiates their arrest and makes it illegal. In the Remand Order and Arrest Memo, it is nowhere mentioned that the Applicants were apprised and have been explained about the grounds. Moreover, mere explanation of grounds of arrest, does not fulfill the criteria of law laid down in the case of *Pankaj Bansal* and *Prabir Purkaystha*.
6. Further, no fruitful purpose would be served by keeping the



Applicants in judicial custody. Chargesheet has already been filed and the matter is at the stage of prosecution evidence. Trial is not likely to conclude in near future and custodial interrogation is no longer required. The Applicant are not likely to tamper with the evidences or intimidate the witnesses.

7. Hence, the prayer is made that the Bail be granted to both the Applicants, i.e. Vinit Goswami and Shoaib Saifi.

8. ***Status Report has been filed on behalf of the State*** in both the cases, wherein it is submitted that on the statement of the Complainant Rukunuddin, FIR No.0191/2022 was registered. He had stated that his brother Moinuddin Qureshi (deceased) used to come at his workshop at 5051, Dargah Sabri Masjid, Delhi. He was fond of flying kites and after flying kites, he used to stay at the workshop until 10:00 PM. On 17.05.2022, at about 09:30-10:00 PM, after consuming liquor at the workshop, Moinuddin went for toilet to the street near Gate No.03, Khalsa School, Daryaganj. The Complainant on hearing the noise of bullet fire, went to the street and found his brother lying in injured condition, having been fired by someone. He immediately shifted his brother to LNJP Hospital, where Doctor declared him “dead”. FIR was consequently registered.

9. On 18.05.2022, during the course of investigation, one motorcycle bearing No.DL-3S-DF-3179 was found parked near Tara Palace Hotel, Ansari Road, Daryaganj, approximately 600-700 meters away from the place of incident. This motorcycle was identified by two eye-witnesses namely PW-2 Nadeem and PW-3 Fahim, as the same that was used in the commission of crime as two accused persons had come on that motorcycle



and fired at the deceased. The motorcycle was found to be stolen from the area of PS Medical College, Meerut, U.P., for which FIR No.0693/2021 under Section 379 IPC was registered on 19.12.2021.

**10.** It is further submitted that the covert enquiry was conducted, wherein it was found that Zeeba Qureshi (wife of deceased) had illicit relations with many persons. She was interrogated, but she did not co-operate in the investigations. She initially claimed that her married life was very good and she had good relations with her husband (deceased). When her mobile phone was checked, it was found that all the chats were deleted.

**11.** On 24.05.2022, secret information was received that Zeeba Qureshi was presently in relationship with one Shoaib Saifi (*Petitioner in BAIL APPLN. 2580/2025*), who is resident of Meerut, U.P. When she was interrogated, she admitted her relationship with the Applicant Shoaib Saifi and also provided his mobile number.

**12.** On 25.05.2022, on the basis of secret information, the Applicant Shoaib Saifi was apprehended and arrested. He disclosed that he had met Zeeba Qureshi through Facebook in the year 2018 and they used to chat on WhatsApp. He further disclosed that Zeeba Qureshi has compelled him to kill her husband, as he used to beat her after consuming alcohol. He further disclosed that Zeeba Qureshi wanted to marry him, after killing her husband. She provided the whereabouts of her husband and compelled him to kill her husband. He then hired one Vinit Goswami (*Applicant in BAIL APPLN. 2052/2025*) through co-accused Afsar @ Happy to eliminate Moinuddin Qureshi.

**13.** The Applicant Vinit Goswami had demanded Rs.10,00,000/- to kill



Moinuddin Qureshi, but they finally settled in Rs.6,00,000/-. A country-made pistol was provided by accused Amit Badaam and Satish Yadav to Vinit Goswami and they all conspired to eliminate Moinuddin Qureshi.

**14.** The Applicant Shoaib Saifi further disclosed that Zeeba Qureshi also gave him information that her husband would go to Bareilly, U.P. on 13.02.2022 and him to kill her husband there. During investigation, it was found that Moinuddin, deceased went to Bareilly on 13.02.2022 with his friend Rajeev Sharma and accused persons namely Afsar @ Happy, Amit Badaam, Satish Yadav and both the Applicants (Vinit Goswami and Shoaib Saifi) also reached there for the purpose of killing Moinuddin, but due to Assembly Elections in U.P. there was heavy Police force and they could not eliminate him.

**15.** It has been proved through CDR/locations of the phones of all accused that on 19.03.2024, both the Applicants (Vinit Goswami and Shoaib Saifi) met the other co-accused persons at Bamheta Village, Ghaziabad, U.P. and conspired to eliminate Moinuddin.

**16.** Thereafter, Zeeba Qureshi called the Applicant Shoaib Saifi and they met in Hotel Prince Palace DX, Pahar Ganj, New Delhi on 16.04.2022 and pressurized him to eliminate her husband. The entries of the Hotel were checked and the entry and identity proofs confirmed that Zeeba Qureshi and Shoaib Saifi were there.

**17.** Shoaib Saifi further disclosed that Zeeba Qureshi passed information to him regarding daily routine work of her husband and informed that her husband used to go to workshop at Daryaganj and return at home about 10:00 PM. Registration number of the scooter of the deceased was also



provided to him.

**18.** Finally on 17.05.2022, both the Applicants along with other co-accused persons did reiki of the area. Further, Shoaib Saifi and Vinit Goswami came on a stolen motorcycle having a fake number plate, near the workshop of deceased Moinuddin and waited for him there. When Moinuddin went for toilet, accused Vinit Goswami fired upon him. Thereafter, they both escaped on that motorcycle, which was later abandoned near Tara Palace Hotel, Daryaganj, Delhi.

**19.** On 26.05.2022, Zeeba Qureshi was arrested and she disclosed about the conspiracy with Shoaib Saifi for killing her husband. Rs.3,00,000/- (out of Rs.6,00,000/- contract money) and one country-made pistol (used in commission of crime) were recovered from Vinit Goswami.

**20.** In compliance of Section 50 Cr.P.C. and Article 22 of the Constitution of India, the Applicants were duly informed about the grounds of arrest at the time of arrest itself, it is also reflected in the Arrest Memo. CCTV footage of the place of incident and other places were obtained, wherein Shoaib Saifi and Vinit Goswami can be seen on a motorcycle near the place of occurrence. They both were identified by the eye-witnesses during Police custody remand. The mobile phones of all accused persons and country-made pistol have been sent to FSL for analysis. WhatsApp chats between Zeeba Qureshi and Shoaib Saifi from 25.10.2020 and 11.05.2022 has been retrieved, though no conversation could be obtained.

**21.** It is submitted that the Chargesheet has already been filed. Out of 66 prosecution witnesses, 12 have been examined and 07 have been dropped. The Bail Applications are opposed on the ground of gravity of offence,



severity of punishment, role of the Applicants in commission of offence and threat of the witnesses.

**22.** Learned Counsel for both the Applicants submit that there were four material/eye witnesses to the alleged offence, but only Nadeem (PW-2) and Fahim (PW-3) were assigned as eye-witnesses, who have completely turned hostile. PW-1 Ruknuddin (Complainant herein) has failed to support the case of the prosecution and has deposed about having found the deceased in injured condition and about taking him to the Hospital.

**23.** PW-11 Moiesuddin Qureshi (son of deceased Moinuddin Qureshi) has deposed about there being a dispute between his father and Complainant over property.

**24.** It is submitted that none of the prosecution witnesses have supported the case of the prosecution.

**25.** CCTV footage, allegedly collected from the spot, also did not have good visibility. The alleged country-made pistol recovered from the Applicant Vinit Goswami was sent to FSL, but Report is nill since the cartridges from the scene of crime could not be recovered and therefore, not matched with the pistol recovered from Vinit Goswami.

**26.** The CDR/locations of the accused persons is of little consequence to prove the offences. It has also been submitted that both the Applicants were interestingly identified by the alleged eye-witnesses namely Nadeem (PW-2) and Fahim (PW-3), when they had been taken to the scene of crime for identification. They both in their respective testimony have denied having ever seen or identifying both the Applicants.

**27.** It is further submitted that first suspect of the Police to the alleged



commission of crime was the Complainant himself.

**28.** It is submitted that there are 66 prosecution witnesses, out of which only 12 have been examined. Trial is also likely to take long. No fruitful purpose would be served in keeping the Applicants behind the bars. Moreover, there were 06 accused in the Chargesheet, out of which 04 have been granted Bail.

**29.** *Learned APP for the State has opposed the Bail on the ground of gravity of offence.*

**30. Submissions heard and record perused.**

**31.** As per the case of Prosecution, material witnesses have already been examined and all of them have failed to identify both the Applicants. Also, there is no likelihood of threatening or intimidating the witnesses. There are 66 prosecution witnesses but only 12 have been recorded. Trial is likely to take long. The other four co-accused have been admitted to Bail.

**32.** Considering the totality of the facts and circumstances, Bail is granted to both the Applicants, i.e. Vinit Goswami and Shoaib Saifi on the following terms and conditions:

- a) The Applicants/Accused shall furnish a personal bond of Rs.35,000/- each and one surety of the like amount each, subject to the satisfaction of the learned Trial Court;
- b) The Applicants/Accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The Applicants/Accused shall provide their mobile number/changed mobile number to the IO concerned, which shall be kept in working condition at all times;



- d) The Applicants/Accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.
  - e) In case the Applicant/Accused change their residential addresses, the same shall be intimated to learned Trial Court and the IO concerned.
33. A copy of this Order be forwarded to the learned Trial Court and Jail Superintendent for information and compliance.
34. The Bail Application along with pending Application(s), if any, is disposed of accordingly.

**(NEENA BANSAL KRISHNA)**  
**JUDGE**

**JULY 29, 2025/R**