

**IN THE COURT OF SH. AMITABH RAWAT
ADDITIONAL SESSIONS JUDGE-03
(SHAHDARA), KARKARDOOMA COURT, DELHI**

Bail Appl. No.1795-2022

FIR No. 51/2020

U/S. 307/186/353/188/147/148/149 IPC & 25/27 Arms Act & 174A IPC

PS- Jafrabad

State Vs. Babu Wasim

11.07.2022

Present : Sh. Anuj Handa, Ld. Special Public Prosecutor for the State
alongwith I.O/SI Arvind Kumar.

Sh. Javed Hussain, Ld Counsel for the applicant/accused Babu
Wasim.

Reply to the bail application filed.

TCR/Supplement charge-sheet also received.

Ld. Counsel for the accused submits that accused Babu Wasim
is not related to the present case. It is prayed that accused may be granted
bail.

Ld. Special Public Prosecutor submits that accused Babu
Wasim has been arrested under Section 25 Arms Act & 174-A IPC and the
charge-sheet has been filed. He further submits that there was telephonic
conversations between accused Babu Wasim and co-accused Shahrukh
Pathan on 06.12.2019. Country made pistol was supplied to accused
Shahrukh Pathan by accused Babu Wasim. It is prayed that bail application
be dismissed.

Arguments heard. I have perused the charge-sheet.

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As per prosecution, it is a case under Section 25 Arms Act against accused Babu Wasim for which Sanction under Section 39 Arms Act has already been obtained. However, on the perusal of the said Sanction under Section 39 Arms Act, it appears that accused Babu Wasim has been shown to be in exclusive and conscious possession of one country made pistol 7.65 mm bore and 20 live cartridges without any valid license and the same is the basis of Sanction. However, this statement by the concerned sanctioning authority does not appear to be correct as the charge-sheet does not make any mention of any exclusive or conscious possession of pistol and live cartridges in the possession of the accused Babu Wasim.

In these circumstances, to clarify these aspects, let the concerned Inspector and ACP, who forwarded the charge-sheet as also the concerned Sanctioning Authority (i.e. DCP concerned), be issued notice to appear in person on 14.07.2022.

Copy of this order be sent to Ld. Special Commissioner (Crime).

(Amitabh Rawat)
Addl. Sessions Judge-03
Shahdara District, Karkardooma Courts,
Dated: 11.07.2022