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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 1430/2018

RAVINDER

..... Petitioner

Through: Mr. Suresh Chand Joshi, Advocate.

Versus

THE STATE (GOVT. OF NCT OF DELHI) THROUGH ITS
STANDING COUNSEL

..... Respondent

Through: Mr. G. M. Farooqui, Addl. Public
Prosecutor for the State.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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10.07.2018

The petitioner seeks bail on the grounds that his parents are un-well and due to other exigencies in his family. However, the Court does not find either of these would be a ground for bail. The order dated 19.04.2018 of the Trial Court declining bail to the petitioner has taken into consideration the gravity of the offence for which he has been charged. The offence for which he has remains in custody reads as under:-

“ That a complaint was made by the complainant Krishan S/o. Gajje Singh that on 11.11.17, there was a scuffle with the accused Ravinder and Yudhvir on the issue of valet parking at MHL Farm House. He further stated that on 14.11.17, when he was going towards his residence by his car, a call was received from the mobile phone of Ravinder, who asked him to meet. In the meantime, Yudhvir @ Kalu, cousin of Ravinder took the mobile and threatened him to kill. At about 8:00 pm, he reached near his house where accused Yudhvir and Ravinder met him. The complainant asked them about the abusive language used by them on phone, in the meantime, accused Yudhvir fired upon him but the said bullet hit the ground, thereafter he fired again where after he sustained gun shot injuries on his thigh. When

Yudhvir again fired towards him, the complainant held his hand due to which the bullet hit his companion namely Ravinder.”

The Trial Court further reasoned as under:-

“6. The allegations against the accused are grave and serious in nature that he along with his co-accused Yudhvir met the complainant, where his co-accused Yudhvir had fired towards the complainant Krishan not only once but thrice, once the bullet hit the ground, the second hit the complainant on his thigh and the third one hit his companion Ravinder, who also came there to kill the complainant.

7. It is mentioned in the application itself that the earlier bail application of this accused was dismissed on 10.01.2018 before filing of the charge sheet and thereafter on 08.03.2018 after filing of the charge sheet. No fresh change of circumstances after the dismissal of the earlier bail application of 08.03.2018 has been pointed out by the Ld, Defence Counsel. There are only some cosmetic changes and not substantial or material changes.

8. In these facts and circumstances, since the allegations against the accused are grave and serious in nature and the argument(s) on the point of charge are yet to be heard and the matter is yet to go to the trial, therefore, the chances of intimidating the witnesses cannot be ruled out. Consequently, the application for bail of accused Ravinder stands dismissed at this stage.”

Since there is no change in circumstances, the Court finds no reason to grant bail. The application is rejected.

NAJMI WAZIRI, J.

JULY 10, 2018/sb