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

+ **BAIL APPLN. 392/2019**

MANJEET SINGH

.....Petitioner

Through:

versus

STATE OF NCT OF DELHI

.....Respondent

Through:

Ms. Manjeet Arya, APP for State with
SI Sanjay Kumar, P.S.:Nihal Vihar.
Mr. Avtar Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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20.01.2025

CRL.M.A. 1599/2025

By way of the present application filed under section 528 of the Bharatiya Nagrik Suraksha Sanhita 2023 ('BNSS'), the applicant impugns order dated 10.04.2019 whereby the petitioner was granted regular bail in case FIR No.39/2015 dated 17.01.2015 registered under sections 302/201 of the Indian Penal Code, 1860 at P.S.: Nihal Vihar, Delhi, without imposing any conditions on grant of such bail except the requirement of furnishing a personal bond and a surety bond.

2. It is noticed that though the present application has been filed under the BNSS, since it was filed in proceedings initiated under Code of Criminal Procedure, 1973 ('Cr.P.C.') which proceedings were pending before the coming into force of the BNSS, the present application is treated as one under section 482 of the Cr.P.C.
3. The applicant/complainant is stated to be the father of the deceased.



4. Mr. Avtar Singh, learned counsel appearing for the applicant submits that the complainant has been constrained to move the present application at this stage since *vide* order dated 07.01.2025, (erroneously dated 09.09.2024 at the top of the order), the learned trial court has granted to the petitioner/accused liberty to have his passport issued or renewed, as per rules.
5. Counsel submits that the trial is at its fag-end and considering how the case against him has now shaped up, the petitioner is likely to flee the country since no conditions have been imposed while granting bail to him *vide* order dated 10.04.2019.
6. Issue notice.
7. Ms. Manjeet Arya, learned APP appears for the State on advance copy; and accepts notice.
8. Upon the applicant taking requisite steps, let notice be sent to the petitioner by all permissible modes, returnable for the next date.
9. Let the notice indicate that reply to the application be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copies to the opposing counsel.
10. In the meantime, it is directed that while the petitioner may get his passport issued/renewed, he shall not apply for or obtain any visa nor shall he travel to any country abroad till the next date of hearing in the present case.
11. Re-notify on 08th May 2025.

ANUP JAIRAM BHAMBHANI, J

JANUARY 20, 2025

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