



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

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Reserved on : 12.09.2023

Pronounced on : 25.09.2023

+ **BAIL APPLN. 1176/2023**

SANJAY SHERAWAT @ SANJU

..... Petitioner

Through: Mr. Naman Gupta, Advocate.

versus

STATE (GOVT. OF NCT OF DELHI)

.... Respondent

Through: Mr. Amit Ahlawat, APP for the State.
Mr. Rakesh Malviya and Mr. Manish
Choudhary, Advocates for the
complainant.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

RAJNISH BHATNAGAR, J.

1. The present bail application has been filed by the petitioner under Section 439 Cr.P.C for grant of regular bail in case FIR No. 321/2022 U/s 308/365/341/506/120-B/147/148 IPC registered at Police Station Maidan Garhi, New Delhi.

2. Briefly stated, the facts of the case are that on 18.08.2022, a PCR call regarding quarrel vide DD No. 71 A was received at PS Maidan Garhi. On enquiry it was found that injured Shubham Dagar and Varun were admitted in AIIMS Trauma Center vide MLC No. 500330345/2022 and 500330355/2022 respectively with the history of multiple injury on various



part of body.

3. The present case was registered on the statement of complainant Shubham Dagar who in his statement alleged that on 18.08.2022 he alongwith his friend Varun Dagar was coming to B-Block Phase 2, Chhatarpur on a scooty. Accused Sanju (present petitioner) and Shubham stopped their scooty and started giving beatings to them with danda/stick. The complainant further alleged that in the meantime 10/12 more persons came to the spot having stick/danda and piece of electric cable and thereafter all the accused persons started beating the complainant and dragged him into the Scorpio Car No. DL-1C-AC-9182 and took him to D/95 Chhatarpur, Delhi which is the residence cum office of complainant's uncle.

4. It is further alleged by the complainant that on reaching there, accused persons pushed the complainant out of the car and started beating him with danda and electric cables. It is further alleged that accused Sanju (present petitioner) hit the complainant with stick on his head and after that all the accused persons namely Shubham, Bablu, Rohit, Gaurav, Mayank, Sanju and others took the complainant to Jalan Farm on foot by dragging and beating via Y-point, Main Maidan Garhi road. The complainant further alleged that the motive behind the incident was that in the morning hours he had hot arguments with accused Sanju Sehrawat (present petitioner) and his associate Shubham on the issue of parking of car in the Gali and at that time petitioner Sanju Sehrawat threatened for dire consequences saying that he is a member of notorious Neeraj Bawania Gang.

5. As per the status report, during the course of investigation till date 12



accused persons including the present petitioner have been arrested and two accused persons namely Manoj Kumar and Tarun were granted anticipatory bail. Weapon of offence danda/stick and electric cable used by the arrested accused persons were recovered at their instance.

6. I have heard the Ld. counsel for the petitioner, Ld. APP for the state assisted by the Ld. counsel for the complainant, perused the status report and also perused the record of the case.

7. It is submitted by the Ld. counsel for the petitioner that the petitioner is in J.C. since 12.11.2022. Charge sheet has already been filed. All the offences for which the petitioner has been charged entail maximum punishment of 7 years. It is further submitted by the Ld. counsel for the petitioner that 10 co-accused have been granted bail and 2 co-accused are on anticipatory bail. It is further submitted by the Ld. counsel for the petitioner that the injuries suffered by the complainant has been opined to be simple in nature inflicted by a blunt weapon.

8. On the other hand, Ld. APP for the State has argued on the lines of the Status Report and Ld. APP with the assistance of the Ld. counsel for the complainant has submitted that the allegations against the petitioner are grave and serious in nature. The petitioner has mercilessly beaten the complainant. It is further submitted that the petitioner does not have clean past antecedents.

9. Looking into the fact that the petitioner is in J.C. since 12.11.2022 and 10 co-accused are already on regular bail and 2 co-accused are on anticipatory bail, charge sheet has already been filed and also the fact that



the nature of injury is simple and the injured was discharged from the hospital on the same day of the incident, the bail application is allowed and the petitioner is admitted to bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the Ld. Trial Court and subject to the condition that he shall not tamper with the evidence or threaten the witnesses. The bail application is disposed of accordingly. Pending applications if any are also disposed of.

10. Nothing stated hereinabove shall tantamount to the expression of any opinion on the merits of this case.

RAJNISH BHATNAGAR, J

SEPTEMBER 25, 2023

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