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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 22nd August, 2023

+ BAIL APPLN. 1436/2023 & CRL.M.A. 18668/2023, CRL.M.A. 18076/2023 & CRL.M.A.18667/2023

NEERAJ KUMAR CHOPRA

..... Petitioner

Through: Mr. Kanhaiya Singhal, Advocate.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Aman Usman, APP for State with
Insp. S.P. Samaria and SI Opendar
Singh, P.S. V.K. South.
Mr. Varun Goswami, Mr. Sahil
Agarwal and Mr. Hritik Chaudhary,
Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

JUDGMENT

AMIT SHARMA, J.

1. The is the second application under Section 439 of the Code of Criminal Procedure, 1973 ('CrPC') seeking grant of regular bail in FIR No. 132/2019 dated 03.03.2019 under Section 307 of the Indian Penal Code, 1860 ('IPC') and Sections 25/27/54/59 of the Arms Act, 1959 registered at PS Vasant Kunj. The previous application was dismissed as withdrawn *vide* order dated 29.04.2021.



2. The contents of the FIR No. 132 dated 03.03.2019, as recorded by Sub-Inspector Om Prakash are reproduced in vernacular as under:

“ब्यानअजाने Sh. Mayur Digani S/o Sh. Vishan Das Digani R/o H.No.-1015/E, Ward No-7, Mehrauli, New Delhi -30, Age-26yrs # 9910529720. ब्यान किया कि मैं पता उपरोक्त पर सहपरिवार रहता हूँ और मैं Mehrauli में Fruit Juice की दुकान करता हूँ। Mohit Arora को मैं बचपन से जानता हूँ, पहले वह हमारे घर के पास Mehrauli में ही अपने परिवार के साथ रहते थे तथा SDM Office Mehrauli में Paper work का काम करते थे। करीब दो साल पहले Mohit Arora अपनी Family के साथ Shanti Kunj, Krishna Green Apartment में Shift हो गये। मेरा अक्सर उनके घर पर आना जाना रहता था। मैं हर्ष को बचपन से जानता हूँ तथा वह हमारा common friend है। Mohit का Mehrauli में Power House के नाम से Gym है तथा मैं Daily उसके Gym में Exercise करने जाता हूँ तथा वहीं पर मेरी Daily मुलाकात Mohit से होती थी। जो कल Mohit से मेरी मुलाकात Gym में हुई और उसने प्रोग्राम बनाया की था कि शाम को गाड़ी में बैठकर घूमते हुए शराब पीएंगे और मौज मस्ती करेंगे। जो कल दिनांक 2/3/2019 को समय करीब 9:00 बजे रात मैंने मोहित को फोन किया और उसको कहा कि तू जल्दी से Jain Mandir, Mehrauli आजा मैं Scooty लेकर वही पहुँचता हूँ और उसके बाद हम गाड़ी में ही बैठकर शराब पीयेगे। इसके बाद समय करीब 9:30 बजे Mohit अपनी गाड़ी लेकर Eco Sports लेकर Jain Mandir पर पहुँच गया और मैं भी Scooty लेकर वहीं पहुँच गया और मैंने अपनी स्कूटी वही Park कर दी और उसकी गाड़ी में बैठ कर Golden Dragon, Hauz khas पहुँचे जहाँसे हमने एक Black & White शराब की बोतल खरीदी और वहाँ से चल दिए इसके बाद Maliviya Nagar से Chicken खरीदा और फिर गाड़ी में ही शराब पीते हुए Chicken खारहे थे। इसी दौरान समय करीब 10:30 बजे रात मेरे दोस्त हर्ष का फोन आया और उसने पूछा कि तुम कहा हो तो मैं Mohit के साथ गाड़ी में हूँ, हम गाड़ी में बैठकर शराब पी रहे हैं जो उसने कहा कि तुम Chhattarpur, 100 Foota Road पर Hukka Bar है इस पर आ जाओ, साथ में बैठ कर हुक्का पीयेंगे। जो समय करीब 11:00 बजे हम दोनों Hukka Bar में पहुँचे जहाँ पर Harsh के साथ पहले से ही उसके दो दोस्त Sultan व Bablu भी मौजूद थे जिनको मैं पहले से जानता हूँ। जो वहाँ पहुँचने पर पता चला कि Hukka के Caal खत्म हो गये हैं। इसके बाद Mohit ने कहाँ कि मेरे घर पर चलते हैं वहाँ Terris पर बैठकर Hukka पीयेगे व शराब पीयेगे। इसके बाद



हम पांचों समय करीब 11:45 बजे रात Mohit के घर पहुंचे जोकि Guard Prem ने दरवाजा खोला और हमपांचो Terris पर पहुंचे जहां पर ताला लगा Mohit के नौकर Deepak के पास थी जो वही नीचे सो रहा था। जो Mohit ने Guard Prem को ऊपर स आवाज लगाई जब Prem ने आवाज नहीं सुनी तो Prem ने थोड़ी और जोर से आवाज लगाई जोकी आवाज सुनकर Neeraj chaupra S/o Sh. Anil Kumar जो कि Just Terris के नीचे ही उसका Floor है निकलकर आये और उसने तेज आवाज में Mohit से पूछा कि क्यों शोर मचा रहा है तू Daily आकर परेशान करता है व शोर मचाता है बस इसी बात को लेकर दोनों में बहस हो गई और Mohit ने कहा कि 10-12 दिन पहले भी तूने हवाई Fire किया था मैंने कुछ भी नहीं किया बस इसी बात में गुस्सा होकर Neeraj अपने Flat के अंदर यह कहते हुए गया कि आज मैं इसकी कहानी को यहीं खत्म कर दूंगा। जो कुछ ही मिनटमें Neeraj गुस्से में अपने Flat से बाहर निकला और Mohit को आवाज दी जो Mohit कुछ सीढ़ियां उतरकर नीचे गया Neeraj ने कुछ सीढ़ियां चढ़कर ऊपर आया तथा बीचमें Neeraj ने अपनी पेंट की दाहिनी जेब से Pistol निकालकर Mohit को जान से मारने की नियत से उसके सिर में गोली मार दी जो गोली लगती Mohit वहीं गिर गया जो मैं भी तुरंत उसके पास पहुंचा तो उसने मुझे भी मारना चाहा और मेरी और भी Pistol तान दी लेकिन मैंने उसका हाथ पकड़ लिया और मेरे अन्य दोस्त भी आगए हमसे हाथा पाई होगई जोकि Neeraj हमसे छुड़ाकर अपनी Pistol को लेकर भाग गया जो की गोली की आवाज सुनकर उसके (Mohit) के घर वाले भी आगए और फिर हमने घर वालो के साथ मिलकर Injured Mohit को Fortis Hospital, Vasant Kunj में Admit करवाया जहा उसका इलाज चल रहा है। Neeraj Chaupra S/o Sh. Anil Kumar ने Mohit को जान से मारने की नियत से उसपर गोली चलाई उसके खिलाफ कानूनी कार्यवाही की जाये आपने मेरे ब्यान लिखा सुन लिया समझ लिया ठीक है। SD-English Mayur Attested by 3/3/19 SI SP Samaria PS Vasant Kunj South, New Dehi श्रीमान Duty Officer साहब थाना - Vasant Kunj (South) बकार सरकार निवेदन है कि मन SI को DD No 4A बाबत "Shanti Kunj H. No. A1, Krishana Green Apartment, पडौसी के घर मे घुसकर Gun दिखा रहा है" मिलने पर मय Ct Mohit No 2960/SW जाए मौका A-1 Krishna, Green Apartment, Shanti Kunj, New Delhi पहुंचे जहाँ दरियाप्त पर Injured को Fortis hospital ले जाना मालूम हुआ जो इसी दौरान SHO साहब मय Staff हाजिर आए जो मौका पर parking की



सीढ़ियों के पास एक चप्पल white, red, black पड़ी थी तथा सीढ़ियों में खून बिखरा हुआ था Fourth floor की सीढ़ियों के पास दूसरी चप्पल पड़ी थी जोकि समान रंग की थीव Fourth floor की सीढ़ियों पर काफी Blood बिखरा हुआ था Fourth floor व Terris के बीच सीढ़ियों में एक Invertor व एक गमला रखा हुआ था जिसके बीच में काफी खून बिखरा हुआ था Invertor के पास एक Speaker बरंग silver, Bose का पड़ा हुआ था जो Tessace कि सीढ़ियों की lobby के left side में एक Bullet (fired) पड़ा हुआ था तथा Right side में एक शराब की बोतल (Sealed) Bacardi, Limon Deluxe, 750ml रखी हुई थी व वहीं पास में आधी भरी हुई पानी की बोतल Kinley रखी थी तथा शराब की बोतल के पास आधा ग्लास शराब से भरा हुआ था जो प्लास्टिक का था fourth floor की सीढ़ियों के पास एक कांच की बोतल टूटी पड़ी हुई थी। जो मन SI ने मौके पर Crime team को बुलाकर Inspection करवाया था Exhibits को बरुए फर्द अलग से कब्जा पुलिस में लिया गया जो कि मौके पर Ct Praveen No 1514/SW को मौका की हिफाजत के लिए छोड़कर मन SI मय Ct Mohit No 2960/SW Fortis Hospital Vasant Kunj पहुंचेजहांपर MLC No 6212/19 अजाने Mohit S/o Sh. Sharvan Kumar R/o Krishana Green Apartment Shanti Kunj, A-1 Block, Vasant Kunj को जेरे इलाज पाया जिसकी MLC हासिल की गई तथा MLC पर Dr. साहब A/H/O Gunshot Injury by neighbour over forehead in his name place @ 12:00 AM, Sustem Injury over head in forehead regin 3X2cm, Lacerated wound accuse bleedup Identification local examination Nature of Injury Gunshot/Under Investigation Griorous, Under Observation opinon pending तहरीर फरमाया हुआ था जोकि वही पर चश्मदीद गवाह Mayur Digani S/o Sh. Bishan das Digani पता उपरोक्त ने व मुलाकी होकर अपना बयान पुस्त हजा तहरीर कराया जो ब्यान बाला से, दरयास से, मौका मुलाहिजा व मुलाहिजा MLC से सरेदस्त सुरत जुर्म U/S 307 IPC & 25/27/54/59 A. Act का सरजद हो ना पाया जाता है लिहाजा तहरीर हजा बगर्ज कायमी मुकदमा बदस्त Ct Mohit No. 2960/SW अरसाल थाना है मुकदमा दर्ज रजिस्टर करके मुकदमा न० से अवगत कराये मन SI मय गवाह रवाना तफ्तीश में जाए मौका का होता हूँ। तारीख वक्त वकुआ :- 02/3/19 at about 11:55 PM जाय वकुआ :- Fourth floor, A- 1, Krishana Green apartment Shanti Kunj, New Delhi तारीख वक्त रवानगी तहरीर :- 03/3/19 at 7:30 AM SD-English 3/3/19 Attested by SI SP Samaria PS Vasant Kunj



South New Delhi कार्यवाही पुलिस अज थाना तहरीर की मौसूलगी पर मुकदमा हजा बजुर्म U/S 307IPC & 25/27/54/59 A. Act दर्ज Computer किया जाकर FIR Computer Copy मय असल तहरीर बाहुकम जनाब SHO साहब वदस्त आरिन्दा Ct. नज्द SI SP Samaria साहब भिजवाई जा रही है। आईन्दा तफ्तीश अमल में लायेंगे। दीगर नकुलात बजरिये डाक अफसरान बाला की खिदमत मे अरसाल होंगे। FIR DO साहब को चैक करवाकर बाद तसल्ली फ्रीज की गई”

3. Learned counsel appearing on behalf of the applicant submits that the present case is one where the real victim has been made an accused by the investigating agency and the real offenders/criminals have been shown as victims. It is pointed out that it was applicant's wife who had made the first call to PCR, wherein it was said “*PADHOSHI GHAR MAI GUS KAR JHAKRA KAR RAHA HAI OR GUN DIKHA KER GAYA HAI*”. It is submitted that despite a complaint being made by the wife of the applicant, no action was taken.

4. It is the case of the applicant that the latter and his family reside on the 4th floor of the building where the incident occurred and he also has roof rights in his name. It is submitted that on the date of the incident, the applicant's wife was preparing her daughter for her exam which was scheduled for next day and when she came outside to put the garbage, she saw Mohit (who resides on the 3rd Floor of the same building alongwith his family) his friends were drunk and were hurling abuses at each other. When the applicant's wife requested them to refrain themselves as her daughter was preparing for her exams, Mohit and his friends started abusing her and misbehaved with her, on account of which she started screaming. At this point, it is stated that the applicant reached there and a scuffle took place



between the applicant and Mohit and his friends, during which the present applicant was badly beaten. It is submitted that at that stage, one of them took out a pistol, after which the applicant's wife ran inside and called the Police Control Room ('PCR').

5. In nutshell, the case of the applicant is that the victim Mohit was shot accidentally by one of his friends. It is submitted that the present applicant is a family man having no previous involvements of any kind and he could not possibly own a weapon. It is argued that on the other hand, Mohit and his friends, who were present at the spot, have previous involvements, which have come on record by way of a status report filed on behalf of the Investigating Officer.

6. Learned counsel appearing on behalf of the applicant has also placed on record footage recorded on a mobile phone, which was played in the Court and was stated to be of the date of incident, at about 12:39 AM. In the said footage, it is seen that the police was present at that point of time at the house of the applicant. Subsequently, the main Investigating Officer was called to the Court. He identified one of the police personnel as SI Sanjani and confirmed the fact that the said police officer was posted at the police station at the relevant point of time. It is the case of the applicant that since the police was already present at the applicant's house, the seizure memo with regard to the alleged recovery of the pistol from the present applicant at 7:30 AM on the said day is not possible. It was also pointed out that PW-7, in his examination has admitted that the applicant was present at the police station, at the time of seizure of weapon.



7. Learned counsel appearing on behalf of the applicant has also drawn the attention of this Court to certain portions of cross-examination of the witnesses, including the injured witness and pointed out contradictions in their story. It is pointed out that in the cross-examination of PW-1/Mohit, he has stated that he did not consume alcohol in the car or at the Hookah Bar and neither did he purchase liquor from Hauz Khas area, which was the case of the complainant in the FIR. It is pointed out that in his testimony, PW-2/Mayur, has stated that PW-1/Mohit had gone along with him to Malviya Nagar to purchase liquor and that they had consumed liquor while sitting in the car. It was further stated by him that they had purchased liquor and when they reached the terrace of said building, they were carrying the same bottles which they had purchased. However, he did not admit the fact that they were consuming liquor at the terrace, nor that they had opened the bottle or had made any drink in the glass. It is pointed out that Constable Mohit, in his statement recorded under Section 161 of the CrPC has categorically stated that when he reached the scene of crime, he saw *“one bottle of liquor brand Bacardi, Limon Deluxe, 750ml, sealed was kept on the stairs.”* It is further stated in his statement that the glass was half filled with alcohol. Learned counsel appearing on behalf of the applicant submits that the aforesaid contradictions, which are apparent, indicate that the victim, i.e., PW-1/Mohit and other alleged eye-witnesses are trying to change the story to show themselves as victims.

8. It was further pointed out that in the FIR, it was mentioned that Mohit and his friends called one Prem (building guard) who opened the door and let them in. However, the Investigating Officer has neither recorded his



statement, nor has he been cited as a witness. It is urged that the aforesaid Prem would have been an independent witness and therefore, was deliberately not examined by the investigating agency. Similarly, it is urged that no chance prints were taken from the alleged weapon of offence and neither Gunshot Residue Test ('GSR') of the applicant has been taken.

9. Learned counsel appearing on behalf of the applicant further submits that all the eye-witnesses, except one have already been examined before the learned Trial Court. It is pointed out that the present applicant was released on interim bail as per HPC guidelines and he did not misuse the liberty. It is further submitted that thereafter, the present applicant was again released on interim bail and after complying with all the conditions, he duly surrendered himself. It is submitted that the applicant satisfies the 'triple test' of bail. The applicant is not a flight risk. There is no possibility of the applicant tampering with the evidence or influencing the witnesses as, in fact, the victim and the other eye-witnesses were examined while the applicant was on interim bail. It is further submitted that applicant is a permanent resident of Delhi and has two children while the trial is likely to take a long time and therefore, the present application be allowed and the present applicant be granted bail.

10. *Per contra*, learned APP for the State, assisted by learned counsel appearing on behalf of the complainant, has vehemently opposed the present application of bail. It is stated that the injured victim and other eye-witnesses have categorically corroborated the case of the prosecution in their examination. It is stated that the present applicant had shot the victim, Mohit at his head with the intention to kill the latter. It is pointed out that on account of the aforesaid injury, the victim, Mohit is still not able to speak properly and



that the said wound has permanently damaged some of his senses. It is argued that the weapon of offence containing one misfired round and one live cartridge was allegedly recovered at the instance of the present applicant from a vacant plot near his house. Even as per the FSL report, the bullet was fired from the alleged weapon of offence. It is further pointed out that the footage shown by learned counsel appearing on behalf of the applicant has not been verified from any source. It is submitted that the eye-witnesses were not confronted with the said footage and that the same is a matter of defence, which would be required to be proved by the applicant during the course of the trial. It is pointed out that the FIR was registered immediately on the complaint of one eye-witness at the hospital. Attention of this Court was drawn to the severity and gravity of the offence, as a result of which the victim, Mohit just about managed to survive, after the applicant shot him point blank at this head. Learned APP further submits that in the complaint filed by the applicant's wife on the date of the incident, she does not say anything about the gunshot, which is contrary to the stand taken by the present applicant in the present application.

11. Heard learned counsel for the parties and perused the record.

12. It is pertinent to note that the contents of the FIR, as reproduced hereinbefore in vernacular, reflect that the complainant (Mayur Digani) and the victim Mohit had been drinking and further decided to go to Mohit's house and drink more. The victim Mohit, in his testimony, denies the aforesaid facts. Whether the said contradiction is material or not to the case of the prosecution would be decided by learned Trial Court at the time of final judgment in the present case. But, the fact remains that the said witnesses do



contradict themselves on this issue. The footage shown by learned counsel appearing on behalf of the applicant, although not a part of the record of the case, *prima facie*, shows the presence of police personnel from the concerned police station in the intervening night of 2/3 March, 2019 at 12:39 AM. If the said footage is to be believed, then the case of the prosecution with respect to the recovery of the alleged weapon at the instance of the applicant in the morning, at approximately 7:30 AM from a vacant plot near his house becomes highly doubtful. If the applicant had owned the weapon, as is claimed by the prosecution, then the same would have been recovered at his instance at the time when the police was present at his house, immediately after the incident. In this background, not taking the chance prints from the weapon as well as the non-examination of the applicant with respect to GSR can be considered as a defect in the investigation.

13. In the instant case the gravity and the seriousness of the offence cannot be denied. The injured victim and the eye-witnesses have fully supported the case of the prosecution during their examination. The defense of the applicant as stated hereinabove is yet to be produced and proved in accordance with law. Hon'ble Supreme Court in **Shri Gurbaksh Singh Sibbia and Others v. State of Punjab, (1980) 2 SCC 565**, held as under:

“27. It is not necessary to refer to decisions which deal with the right to ordinary bail because that right does not furnish an exact parallel to the right to anticipatory bail. **It is, however, interesting that as long back as in 1924 it was held by the High Court of Calcutta in Nagendra v. King-Emperor [AIR 1924 Cal 476, 479, 480 : 25 Cri LJ 732] that the object of bail is to secure the attendance of the accused at the trial, that the proper test to be applied in the solution of the question whether bail should be granted or refused is whether it is probable that the party will appear to**



take his trial and that it is indisputable that bail is not to be withheld as a punishment. In two other cases which, significantly, are the ‘Meerut Conspiracy cases’ observations are to be found regarding the right to bail which deserve a special mention. In K.N. Joglekar v. Emperor [AIR 1931 All 504 : 33 Cri LJ 94] it was observed, while dealing with Section 498 which corresponds to the present Section 439 of the Code, that it conferred upon the Sessions Judge or the High Court wide powers to grant bail which were not handicapped by the restrictions in the preceding Section 497 which corresponds to the present Section 437. It was observed by the court that there was no hard and fast rule and no inflexible principle governing the exercise of the discretion conferred by Section 498 and that the only principle which was established was that the discretion should be exercised judiciously. In Emperor v. Hutchinson [AIR 1931 All 356, 358 : 32 Cri LJ 1271] it was said that it was very unwise to make an attempt to lay down any particular rules which will bind the High Court, having regard to the fact that the legislature itself left the discretion of the court unfettered. According to the High Court, the variety of cases that may arise from time to time cannot be safely classified and it is dangerous to make an attempt to classify the cases and to say that in particular classes a bail may be granted but not in other classes. **It was observed that the principle to be deduced from the various sections in the Criminal Procedure Code was that grant of bail is the rule and refusal is the exception. An accused person who enjoys freedom is in a much better position to look after his case and to properly defend himself than if he were in custody. As a presumably innocent person he is therefore entitled to freedom and every opportunity look after his own case. A presumably innocent person must have his freedom to enable him to establish his innocence.”**

(emphasis supplied)

14. Hon’ble Supreme Court, in **Gurcharan Singh and Others v. State (Delhi Administration), (1978) 1 SCC 118**, while dealing with the powers under Section 439(1) of the Cr.P.C. held as under:

“24. Section 439(1), Cr.P.C. of the new Code, on the other hand, confers special powers on the High Court or the Court of Session in



respect of bail. Unlike under Section 437(1) there is no ban imposed under Section 439(1), Cr.P.C. against granting of bail by the High Court or the Court of Session to persons accused of an offence punishable with death or imprisonment of life. It is, however, legitimate to suppose that the Court or the Court of Session will be approached by an accused only after he has failed before the Magistrate and after the investigation has progressed throwing light on the evidence and circumstances implicating the accused. Even so, the High Court or the Court of Session will have to exercise its judicial discretion in considering the question of granting of bail under Section 439(1), Cr.P.C. of the new Code. **The overriding considerations in granting of bail to which we adverted to earlier and which are common both in the case of Section 437(1) and Section 439(1), Cr.P.C. of the new Code are the nature and gravity of the circumstances in which the offence is committed; the position and the status of the accused with reference to the victim and the witnesses; the likelihood of the accused fleeing from justice; of repeating the offence; of jeopardising his own life being faced with a grim prospect of possible conviction in the case; of tampering with witnesses; the history of the case as well as its investigation and other relevant grounds which, in view of so many valuable factors, cannot be exhaustively set out."**

(emphasis supplied)

15. It has been held time and again, that bail is the rule and jail is the exception. It is also well settled that at the stage of grant of bail, the Court is not required to dwell upon a detailed analysis of the evidence on record as that would be a matter of trial. At the same time, gravity of the offence cannot be the sole basis for denial of bail, as has been held in **Prabhakar Tewari v. State of Uttar Pradesh and Another, (2020) 11 SCC 648**, wherein the Hon'ble Supreme Court held that despite alleged offence being grave and serious and also the fact that there are criminal cases pending against the accused, these would not by themselves be the basis for refusing bail.



16. In the present case, it is not in dispute that the present applicant, who has been released on interim bail on various occasions, has not misused the liberty granted to him and has complied with the conditions imposed on him. As pointed out hereinbefore, the witnesses in the present case were examined while the present applicant was on interim bail. The material witnesses in the present case have already been examined. As per the case of the prosecution, there is one more eye-witness, who is presently not available for his examination. The trial is not likely to be completed in the near future. The applicant is a permanent resident of Delhi and has family to look after. The applicant is not involved in any previous offence. As per Section 53 of the Indian Evidence Act, 1872, in criminal proceedings, the fact that the person accused is of good character, is relevant. As per the nominal roll dated 26.07.2023, the present applicant is in judicial custody for 01 year, 04 months and 02 days, since 03.03.2019.

17. In totality of the facts and circumstances, the present application is allowed. The applicant is admitted to bail upon his furnishing a personal bond in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of the learned Trial Court/Link Court, further subject to the following conditions:

- i. The memo of parties shows that the applicant is residing at 32, Vasant Enclave, Vasant Vihar, New Delhi - 110057. In case of any change of address, the applicant is directed to inform the same to the learned Trial Court and the Investigating Officer.



- ii. The applicant shall not leave India without the prior permission of the learned Trial Court.
 - iii. The applicant is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.
 - iv. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witnesses in any manner.
 - v. The applicant shall join the investigation, as and when required by the Investigating Officer.
 - vi. In case it is established that the applicant tried to tamper with the evidence, the bail granted to the applicant shall stand cancelled *forthwith*.
18. The application stands disposed of along with all the pending application(s), if any.
19. Needless to state, nothing mentioned hereinabove is an opinion on the merits of the case pending before the learned Trial Court.
20. Let a copy of this judgment be communicated to the concerned Jail Superintendent for necessary information and compliance.
21. Judgement be uploaded on the website of this Court *forthwith*.

AMIT SHARMA
JUDGE

AUGUST 22, 2023/sn