



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

%

Reserved on : 06.10.2023

Pronounced on : 20.10.2023

+ **BAIL APPLN. 3041/2022**

HARPREET SINGH @ RAJA

..... Petitioner

Through: Mr. Kanhaiya Singhal, Mr. Ujwal Ghai, Mr. Teeksh Singhal, Mr. Gurjass Puri, Mr. Prasanna, Mr. Ajay Kumar, Mr. Udit Bakshi, Mr. Anmol Chopra, Ms. Peepali Pawar and Ms. Richa Khera, Advocates.

versus

STATE NCT OF DELHI

.... Respondent

Through: Mr. Raghuinder Verma, APP for the State.

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. 74/2022 U/s 379/411/328/75 IPC registered at Police Station Delhi Cantt.

2. In brief, the case of the complainant is that on 12.02.2022, at about 03:30 p.m., complainant was waiting at Dhaula Kuan bus stand for the Volvo bus for going towards Jaipur. In the meanwhile, the petitioner came and engaged the complainant in verbal conversation. The complainant could

BAIL APPLN. 3041/2022

Page 1 of 3



not find a Volvo bus and after waiting for some time he boarded Rajasthan Roadways Bus. The petitioner also boarded the Rajasthan Roadways Bus with the complainant and occupied the seat adjacent to the seat of complainant. Thereafter, petitioner went to fetch some soft drink. He brought a bottle of Maaza with two disposable cups and offered the same to the complainant. After drinking the soft drink (*Maaza*), the complainant lost consciousness. After reaching his destination the complainant checked his luggage and found that Rs. 80,000/- cash, one I-Pad, education qualification documents of the complainant, his Aadhaar Card, his experience certificate, clothes, one finger ring and one neck chain alongwith mobile phone were missing.

3. I have heard the Ld. counsel for the petitioner, Ld. APP for the State, perused the Status Report and also perused the records of this case.

4. It is submitted by the Ld. counsel for the petitioner that no offence U/s 328/411 IPC is made out against the petitioner. It is further submitted by the Ld. counsel for the petitioner that the petitioner is in J.C. since 03.06.2022. It is further submitted by the Ld. counsel for the petitioner that vide order on charge dated 22.08.2023, the petitioner has only been charged U/s 379/75 IPC and he has been discharged for the offence punishable U/s 328/411 IPC. It is further submitted by the Ld. counsel for the petitioner that trial would take a long time and no useful purpose would be served by keeping the petitioner in J.C.

5. On the other hand, it is submitted by the Ld. APP for the State that previous conviction of the petitioner was for an offence U/s 328 IPC and he



is a habitual offender.

6. In the instant case, initially the charge sheet was filed against the petitioner U/s 328/379/411/75 IPC but vide order on charge dated 22.08.2023, the petitioner has been discharged for the offence punishable under Section 328/411 IPC and now the only sections remaining against the petitioner under which he is to be tried are sections 379/75 IPC. The petitioner is in J.C. since 03.06.2022 and the trial would take a long time to conclude so, in these circumstances, no useful purpose would be served by keeping the petitioner further in J.C. The bail application is, therefore, 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 subject to the satisfaction of the concerned Trial Court. The bail application is disposed of accordingly.

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

RAJNISH BHATNAGAR, J

OCTOBER 20, 2023

sd