

CRM-M-21769-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21769-2024
Reserved on: 01.08.2024
Pronounced on: 30.08.2024

Monu and another ...Petitioners

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Neeraj Sansaniwal, Advocate
for the petitioner(s).

Mr. Rajat Gautam, Addl. AG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
309	21.08.2021	Kherki Daula, Gurugram	380 IPC (Sections 381, 382, 411, 454, 457, 476, 120-B, 201 IPC and Section 25(1B)(a) of Arms Act and Section 7/8 of Prevention of Corruption Act 1988 added later on

1. The petitioners incarcerated in the FIR captioned above had come up before this Court under Section 439 CrPC, 1973, seeking regular bail on parity with co-accused, Dr. Ashwani Kumar, Dr. Sachinder Jain Nawal, Dr. Gurpartap Singh, Sandeep @ Nitu Sunariya, Amit @ Meeta, Ravinder @ Bittu Dahiya, Ajit Singh @ Ajit, Joginder Singh, Dara Singh @ Dara, Abhinav Sharma, Gurpreet Singh, Chetan Maan @ Boxer.

2. As per custody certificate dated 10.05.2024, petitioner No.1-Monu has one more case pending, which is as under:-

Sr. No.	FIR No.	Dated	Police Station	Sections
1	VIII	2018	---	--- (132/135 Custom Act [VIII(AP)/10 P&I/2181-B/ARRIVAL/2018])

2(a) As per para 45 of the petition, petitioner No.2-Sonu has no other case except present one.

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3. Perusal of the file shows that earlier a petition (CRM-M-27591-2023) was filed and the said petition was dismissed on 20.10.2023, with clarification that trial be concluded by 31.03.2024.

4. Facts of the case are being taken from the reply dated 14.05.2024, which reads as under:-

“That before proceeding further with the present status report, it is imperative to mention some brief facts of the case, which are that a complaint was submitted by one Santosh Singh alleging therein that he is working as Maintaining Project in Alpha G Corp. Management Services Private Limited, Sector 84, Village Sihi, Gurugram. They had collected money from customers for the services rendered to them and kept the same at the office of the company i.e. Flat No. 1102 and 1702, Gurgaon One Society, Sector-84, Kherki Daula, Gurugram. On 20.08.2021, while under instructions to deposit the money in the bank, they found that the money had been stolen from the office. On the basis of above allegations, case FIR No. 309 dated 21.08.2021 was initially registered u/s 380 IPC at P.S. Kherki Daula, Gurugram.

4. That the investigation was initially conducted by HC Baljeet Singh, P.S. Kherki Daula, Gurugram and thereafter by Crime Unit Sector-31, Gurugram. During the course of investigation, on 26.08.2021, supplementary statement of complainant was recorded whereby he disclosed that on 21.08.2021, when he checked the office, its doors were found broken and Rs. 50 lakhs and documents relating to flats were found to be stolen and that the said theft had taken place between the night of 20.08.2021 and 21.08.2021. They suspected the involvement of company employees, namely, Parveen Singh and Mohit Kumar, in this theft. On the basis of the same, Section 457 IPC was added in the present case,

5. That the accused Parveen was arrested on 11.09.2021. His disclosure statement was recorded. On the basis of his disclosure statement, offences punishable under sections 454,381,120-B IPC were added. His police remand was obtained for one day. He got identified accused Mohit and he was also arrested on the same day i.e. 11.09.2021. His disclosure statement was also recorded wherein he named other accused namely Dara @ Dhare, Amit @ Meeta, Abhinav Sharma @ Chunu, Sonu, Chetan @ Boxer. The police remand of accused Mohit was obtained for four days. Accused Parveen got recovered Rs. 50,000/- out of his share of Rs. 5 Lakhs. Accused Parveen further disclosed that the remaining amount and documents are with his brother Pankaj and brother-in-law (Jija) Shashi Pratap. On 15.09.2021, accused Mohit has got recovered Rs. 45,000/- out of his share of Rs. 5 Lakhs. He has also disclosed in his amended disclosure statement that his father Virender Singh has concealed the remaining amount and documents of flats. Both the accused were sent to judicial custody on 15.09.2021. Accused Sonu was joined in the investigation on 20.09.2021.

6. That thereafter, on 05.10.2021, accused Dara Singh @ Dhare, Amit @ Meeta and Abhinav Sharma @ Chunu were arrested. They got recorded their disclosure statements, whereby, they disclosed about the involvement of accused persons, namely. Ajit, Chetan

Maan @ Boxer, Bittu Dahiya, Mohit, Parveen, Vikas and one person having Audi car no. HR-26-CS-3400. In pursuance to the disclosure statement, accused Abhinav Sharma got recovered Rs. 40,000/- and the weapon (12 bore dog) used in the commission of the offence. Thereafter, offence Section 25(1B) (a) Arms Act was added. Accused Amit @ Meeta got recovered Rs. 35,000/- and accused Dara Singh got recovered Rs. 45,000/-. On 07.10.2021, accused Abhinav Sharma @ Chunu, vide his disclosure statement, disclosed that the person having Audi car is Dr. Ashwani Kumar and he further disclosed about the involvement of accused ASI Vikas of Delhi police in this case.

7. That on 08.10.2021, accused ASI Vikas Kumar, was arrested and the offence punishable under Section 411 IPC was added. In his disclosure statement, he disclosed the involvement of gangster Vikas Lagarpuria, Ajit, Sandeep @ Neetu and other persons, in the commission of theft. Accused ASI Vikas got recovered Breeza vehicle used in the commission of offence. Accused Amit and Dara Singh also disclosed about the involvement of gangster Vikas Lagarpuria, Ajit, Chetan, Bittu, Mohit and Parveen. Another co-accused Shyam Singh was also arrested on 08.10.2021 and his disclosure statement was also recorded. Accused Shashi Pratap and Virender Singh were joined in the investigation on 15.10.2021 and accused Pankaj was joined in the investigation on 26.10.2021, in pursuance of the bail granted to them by the Ld. Court.

8. That on 30.10.2021, the investigation of the present FIR was transferred to Special Task Force Unit, Gurugram, for further investigation. On 09.11.2021, accused Sandeep @ Neetu and Dr. Ashwani Kumar surrendered before the STF and thereafter, they were arrested in this case. They got recorded their disclosure statements wherein they named the accused Dr. Sachender Jain Nawal and Dr. Gurpratap Singh. They also got recovered Indian currency notes, US dollars, and gold articles of the value of Rs. 3,90,000,00/- (8106 notes of Rs. 2,000/-, 5799 notes of Rs. 500/-, 95 notes of Rs. 200/-, 110 notes of Rs. 100/-, total amounting to Rs. 1,91,41,500/-, 645 notes of 100 US Dollars each, three gold bricks:- One gold brick marka Suisse 1 KG GOLD 995.0 ESSAYUER FOUNDER 0821, second gold brick marka SWITZERLAND 1 KG GOLD 995.0 MELTE ASSA, third gold brick marka SWITZERLAND 1 KG GOLD 995.0 MELTER ASSAYE Reach gold brick measuring one Kg). The same were taken into police possession. The accused Sandeep @ Neetu disclosed in his disclosure statement that accused ASI Vikas brought the stolen money which was given to him (ASI Vikas) by accused Chetan @ Boxer and Amit @ Mitta Ajit Badsa etc., which on counting, was found to be about Rs 9.50 crores. He has also disclosed that one bag containing stolen money was kept by accused ASI Vikas: Vide recovery memo dated 16.11.2021, accused Dr. Ashwani Kumar had got recovered the recording of the conversation between the accused Dr. Sachender Jain Nawal and gangster Vikas Lagarpuria.

9. That the accused Dr. Sachender Jain Nawal and Dr. Gurpratap Singh were arrested on 09.11.2021. They got recorded their disclosure statements, whereby, they have disclosed about their role in the covering up the matter by way of bribing and exerting influence upon local police officials i.e. Dheeraj Setia IPS (the then DCP Crime, Gurugram) etc. It was stated by them that Dr. Gurpratap Singh was informed by Shyam Singh, an employee of

Alpha G Corp. Society, that a huge amount of Rs. 30-40 crores of unaccounted money has been stored. Thereafter, Gurpratap gave this information to Dr. Sachender Jain Nawal and on getting this information, Dr. Sachender Jain Nawal stated that it is a good plan and one gangster Vikas Lagarpuria is known to him and he can be involved in commission of theft, as Joginder (uncle of Vikas Lagarpuria) is employed as driver with Dr. Nawal.

In the month of August 2021, Dr. Sachender Jain Nawal, with the aid of gangster Vikas Lagarpuria and his gang members gel committed theft of said amount. Gurpratap had received Rs. Lakhs of his share from Dr. Sachender Jain Nawal. On 13.11.2021, Dr. Sachender Jain Nawal made his amended disclosure statement. On the basis of aforesaid disclosure statement, Sections 7/8 of P.C. Act, were added in the present case. On 07.12.2021, accused Ravinder @ Bittu Dahiya was arrested. His disclosure statement was recorded wherein he named accused Gurpreet. A sum of Rs. 1,83,16,000/- (Rupees one crore eighty three lakhs sixteen thousand only) and broken mobile IMEI No. 869285055968470 were recovered from him. Section 201 IPC was added in the present case.

10. That thereafter, the statements of Ravinder @ Bittu Dahiya, Sandeep @ Neetu and Dr. Ashwani Kumar were recorded in presence of Tehsildar. The sum and substance of their statements was that as per instructions of Vikas Lagarpuria, they had handed over bags containing some of the stolen money i.e. Indian Currency notes, US Dollars and gold articles of the value of Rs. 5,73,16,000/- stolen money, to the persons stated by him i.e. accused Gurpreet Singh and accused ASI Vikas. They were informed by Vikas Lagarpuria that he and Dr. Sachender Jain Nawal had planned to commit theft and Dr. Sachender Jain Nawal had been given his share and also stated that Dr. Sachender Jain Nawal is making efforts to cover up the multi crores heist by way of citing his relations with DCP Dheeraj Setia and bribing to DCP Dheeraj Setia and that it will take 2-5 days to settle the matter. On the asking of Vikas Lagarpuria, the Ashwani Kumar) had handed over Rs. 2 Crores to Dr. Sachender Jain Nawal at his Arihant Hospital, Sector 52. Gurugram. Vikas Lagarpuria had sent some more money to them (i.e. accused Ravinder @ Bittu Dahiya, Sandeep @ Neetu and Dr. Ashwani Kumar) for handing over the same to Dr. Sachender Jain Nawal for covering up the matter from police but he (Dr. Sachender Jain Nawal) could not be contacted and Vikas Lagarpuria had asked them to keep money with them (i.e. accused Ravinder @ Bittu Dahiya, Sandeep @ Neetu and Dr. Ashwani Kumar).

11. That the challan against accused Abhinav Sharma @ Chunu, Amit @ Meeta and Dara @ Dhare was submitted in the court on 02.12.2021 and the challan against accused Dr. Gurpratap Singh, Parveen, Mohit, Shyam Singh, Dr. Sachender Jain Nawal, Dr. Ashwani Kumar, Sandeep @ Neetu, Ravinder @ Bittu Dahiya and Ajit@ Badsu was submitted in the court on 08.01.2022. Now, the trial against the above named accused persons is pending in the court of Ld. Addl. Sessions Judge, Gurugram and is fixed for 22.05.2024 for appearance. There are total 74 PWs in the present case and none has been examined as the charges are yet to be framed.

12. That thereafter, on 16.12.2021, accused Ajit @ Badsa was apprehended by STF from Hisar and he was then arrested by STF Gurugram. Further, he was taken on five days police remand and recovery of one mobile phone and Rs. 1.50 Lakhs was made from him.

13. That the accused Joginder Singh was arrested on 30.12.2021. His disclosure statement was recorded. He also got recovered the amount of Rs. 1,50,000/- and one Redmi mobile phone having sim no. 9910904434, which were taken into police possession. The challan against him was submitted in the court on 25.02.2022.

14. That the accused Chetan Maan @ Boxer and co-accused Vikas Lagarpuriya and Dheeraj Setia were declared proclaimed offender by the Ld. ASJ, Gurugram on 18.02.2022 and thereupon, the case FIR No. 302 dated 22.02.2022 u/s 174-A IPC was registered against them at P.S. Shivaji Nagar, Gurugram.

15. That later, the co-accused Dheeraj Setia was joined in the investigation on 14.03.2022, in pursuance of the interim bail granted to him by this Hon'ble High Court. However, he did not give satisfactory answers during interrogation. On 24.03.2022, Dheeraj Setia was confronted with Dr. Sachender Jain Nawal at District Prison, Gurugram, after obtaining permission from the Ld. Court. He again did not co-operate and gave the evasive answers and concealed the true facts.

16. That the accused Chetan Mann @ Boxer was arrested in the present case on 24.05.2022 after his appearance on production warrants. His police remand was obtained for seven days. He got demarcated the place of occurrence and the place where the plan was made to commit the theft. He got recovered the amount of RS 19,500/-. It further came forth that accused Chetan @ Boxer and Ajit Badsa had sold the Scorpio vehicle no. DL-8C-AT-4791 to one Prem for Rs. 2 Lakhs to discard the same. The said Scorpio vehicle no. DL-8C-AT-4791, which was having the fake number plate of PB-02-DA-4500, was recovered from P.S. Amargarh, Distt. Malerkotla, Punjab. The fake number plate was also taken into police possession. Section 476 IPC was added in the present case. He was sent to judicial custody on 31.05.2022.

17. That the supplementary challan against the accused Chetan Mann @Boxer, Virender Singh, Shashi Pratap and Pankaj was submitted in the Ld. Court 21.07.2022. Now, the trial against them is pending in the court of Ld. Addl. Sessions Judge, Gurugram and is fixed for 22.05.2024 for appearance. There are total 74 PWs in the present case and none has been examined as the charges are yet to be framed.

18. That the accused Gurpreet Singh was arrested in the present FIR on 13.10.2022 after his appearance in the Ld. Court on production warrants, as he was already under custody in another FIR No. 208 dated 14.09.2022 u/s 25/54/59 Arms Act P.S. Crime Branch, Delhi. His disclosure statement was recorded. His police remand was obtained for five days. He was sent to judicial custody on 18.10.2022.

19. That the challan against accused Gurpreet was submitted in the Ld. Court on 12.12.2022. Now, the trial against him is pending in the court of Ld. Addl. Sessions Judge, Gurugram and is fixed for

22.05.2024 for appearance. There are total 74 PWs in the present case and none has been examined as the charges are yet to be framed.

20. That the polygraph test of accused Dheeraj Setia was conducted on 07.12.2022 at CFSL, CBI Delhi. After conducting the polygraph test, the CFSL came to the opinion that Dheeraj Setia was truthful in this answers on the issues numbers (i) to (iv). In view of the same, accused Dheeraj Setia was found to be innocent.

21. That the accused Vikas Lagarpuriya was arrested on 15.12.2022. His police remand was obtained for 10 days. He got recovered Rs. 4,12,00,000/-. His amended disclosure statement was recorded on 24.12.2022 wherein he named the accused Vikrant Sangwan, Monu Dabas (petitioner no. 1), Sonu Dabas (petitioner no. 2), Than Singh, Puneet and Sarju. He was sent to judicial custody on 26.12.2022 after obtaining permission to take his voice samples.

22. That the accused Vikrant Sangwan was arrested on 03.01.2023. His disclosure statement was recorded. He was produced in the Ld. Court on 04.01.2023 and his police remand was obtained till 10.01.2023. He got recovered the amount of Rs. 15,00,000/- which was left from the profits obtained by investing the stolen amount in the gold business. He got recovered the vehicle no. HR-12-AJ- 0090 which was used for transferring the money. He also got recovered the vehicle no. HR-12-AF-0090 which he had purchased from the stolen money. He was sent to judicial custody on 09.01.2023.

23. That the alleged accused Devender was joined in the investigation of the present case. However, during the verification of facts, nothing incriminating came forth against him.

24. That the supplementary challan u/s 173(8) Cr.PC against the accused Vikrant Sangwan and Vikas Lagarpuriya was submitted in the Ld. Court on 09.02.2023 for the offences u/s 380, 381, 382, 411, 454, 457, 476, 120-B, 201 IPC and 25(1-B)(a) Arms Act. Now, the trial is pending in the Court of Ld. ASJ, Gurugram and is fixed for 22.05.2024 for appearance. There are total 74 PWs in the present case and none has been examined as the charges are yet to be framed.

25. That on 10.03.2023, the voice sample of accused Vikas Lagarpuriya was taken at FSL Madhuban. The report is still awaited. The petitioners Monu Dabas and Sonu Dabas were arrested on 21.04.2023. Their disclosure statements were recorded. Their police remand was obtained for seven days. The petitioner no. 1 Monu Dabas got recovered the amount of Rs. 60 Lakhs and the petitioner no. 2 Sonu Dabas got recovered the amount of Rs. 1.09 crores. They were sent to judicial custody on 29.04.2023.

26. That the accused Vipul Khanna was arrested on 26.04.2023. His disclosure statement was recorded. He got recovered the amount of Rs. 15 Lakhs. He was sent to judicial custody. Accused Than Singh was arrested in the present case on 11.05.2023 after obtaining his production warrants. His disclosure statement was recorded. He got recovered the amount of Rs. 6.75 Lakhs. He was sent to judicial custody.

27. That the supplementary challan against the petitioners Sonu Dabas, Monu Dabas and co-accused Vipul Khanna and Than Singh was submitted in the Ld. Court on 15.06.2023. The trial against them is also pending in the Court of Ld. ASJ, Gurugram and is fixed for 22.05.2024 for appearance. There are total 74 PWs in the present case and none has been examined as the charges are yet to be framed.

28. That the accused Rahul was joined in the investigation of the present case. However, he was not found to be involved in the present case and now he has been cited as prosecution witness.

29. That the accused Prem Singh was arrested on 05.12.2023. His police remand was obtained for two days. He did not get recovered anything. Thereafter, he was sent to judicial custody.

30. That the investigation of the present FIR is being conducted by the Special Investigation Team (SIT) working under the chairmanship of IG/STF Gurugram, and consisting of other members mentioned in the order no. 2291-2303/Rdr dated 20.11.2021. The co-accused Sarju, Puneet and Amrik are yet to be apprehended.

31. That the role and evidence against the petitioners Monu Dabas and Sonu Dabas in the present case is that they had brought the amount of Rs. 7 crores from accused Dr. Ashwani Kumar in the Fortuner car no. HR-12-AJ-0090 of accused Vikrant Sangwan. Out of the said amount, accused Vikrant kept Rs. 1 crore with himself. The petitioners invested Rs. 5.10 crores of their share and Rs. crore of accused Vikrant in gold, earned profits from the same and distributed among themselves. Further, the petitioner no. 1 Monu Dabas got recovered the amount of Rs. 60 Lakhs and the petitioner no. 2 Sonu Dabas got recovered the amount of Rs. 1.09 crores.

32. That as per directions issued by this Hon'ble Court, the custody certificate dated 10.05.2024 of the petitioner no. 1 Monu Dabas, obtained from District Jail, Gurugram, is attached herewith as Annexure R-1 for kind perusal of this Hon'ble Court. As per the said custody certificate, the petitioner no. 1 Monu is under custody for 01 year 0 months 12 days. The custody certificate dated 14.05.2024 of the petitioner no. 2 Sonu Dabas is attached herewith as Annexure R-2. As per the said custody certificate, the petitioner no. 2 Sonu is under custody for 01 year 0 months 16 days.

33. That further, as per the above mentioned custody certificate, the petitioner no. 1 Monu Dabas has also been found to be involved in another FIR No. VIII/2018 u/s 132/135 Customs Act, P.S. Central Delhi.

34. That as per available record, the petitioner no. 2 Sonu Dabas has been found to be involved in another FIR No. 286 dated 27.09.2018 u/s 201, 202, 302, 120-B, 34 IPC P.S. PGIMS Rohtak. He was acquitted in the said case on 06.09.2022.

35. That the Ld. Addl. Sessions Judge, Gurugram has rightly dismissed the regular bail application of the petitioners after taking into consideration all the facts and circumstances of the case, Further, the bail application filed by the petitioner vide CRM-M No. 27591 of 2023 has also been dismissed by this Hon'ble Court vide order dated 20.10.2023.

36. That the petitioners are not entitled to seek the concession of regular bail as they may tamper with the evidence and influence the material witnesses. They may also abscond and flee from justice which may delay the trial.”

5. Petitioners seek bail on the ground of parity with co-accused, who are similarly placed namely as mentioned above. The petitioners’ counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioners and their family.

6. Counsel for the State opposes the bail on the ground of criminal history.

7. State counsel contends that petitioners’ case is not covered because the petitioners had brought Rs.7 crores from accused Dr. Ashwani Kumar. Although there is prima facie evidence connecting the petitioners with the commission of offence but this Court is not considering the case for quashing of FIR, framing of charges or final trial but only for the purpose of bail. As per para 29 of the petition petitioners were arrested on 21.04.2023. It means the petitioners are in custody for more than 01 year & 03 months. Coupled with the fact that similarly placed co-accusd have been granted bail, the criminal history is not being considered as a reason to denying bail.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioners make a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

9. Given above, provided the petitioners are not required in any other case, the petitioners shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioners shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioners’ complying with the following terms. The petitioners shall abide by all statutory bond conditions and appear before the concerned

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Court(s) on all dates. The petitioners shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

12. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioners shall not enter the property, workplace, and residence of the victim until the statements of all non-official and informal witnesses in the trial are recorded. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to *Vikram Singh v Central Bureau of Investigation*, 2018 All SCR (CrL.) 458; and *Aparna Bhatt v. The State of Madhya Pradesh*, 2021:INSC:192, 2021 SCC Online SC 230.

13. Given the background of allegations against the petitioners, it becomes paramount to protect the victim, and their family members, as well as the members of society, and incapacitating the accused would be one of the primary options until the filing of the closure report or discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearm(s). [This restriction is being imposed based on the preponderance of evidence of probability and not of evidence of certainty, i.e., beyond reasonable doubt; and as such, it is not to be construed as an intermediate sanction]. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioners shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days from release from prison and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioners shall be entitled to renew and take it back in case of acquittal in this case, provided otherwise permissible in the concerned rules. Restricting firearms would instill confidence in the victim(s), their families, and society; it would also restrain the accused from influencing the witnesses and repeating the offense.

14. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioners shall not enter the victim's property, workplace, and residence until the statements of all non-official and informal witnesses in the trial are recorded. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to *Vikram Singh v Central Bureau of Investigation*, 2018 All SCR (CrL.) 458; and *Aparna Bhat v. The State of Madhya Pradesh*, 2021:INSC:192, 2021 SCC Online SC 230.

15. The conditions mentioned above imposed by this court are to endeavor to reform and ensure the accused does not repeat the offense and also to block the menace of drug abuse. In *Mohammed Zubair v. State of NCT of Delhi*, 2022:INSC:735 [Para 28], Writ Petition (Criminal) No 279 of 2022, Para 29, decided on July 20, 2022, A Three-Judge bench of Hon'ble Supreme Court holds that "The bail conditions imposed by the Court

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must not only have a nexus to the purpose that they seek to serve but must also be proportional to the purpose of imposing them. The courts, while imposing bail conditions must balance the liberty of the accused and the necessity of a fair trial. While doing so, conditions that would result in the deprivation of rights and liberties must be eschewed.”

16. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

17. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioners can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

18. Petition allowed in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

30.08.2024
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.