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

+ **BAIL APPLN. 104/2024**

KAMRAN

..... Petitioner

Through: Mr Kumar Amit, Mr Pradeep Kumar
Pandey and Ms Swati Kumari,
Advocates.

versus

THE STATE GOVT.OF NCT OF DELHI

..... Respondent

Through: Mr Raghvinder Varma, APP for the
State with SI Jagmohan, ASI Ashok,
Police Station Nihal Vihar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

01.02.2024

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1. The present petition has been filed under Section under Section 439 CrPC seeking regular bail in connection with FIR No.1396/2023 under Sections 308/325/34 IPC registered at Police Station Nihal Vihar.
2. The case of the prosecution is that on 24.10.2023, the complainant, namely, Gurpreet Singh along with his friend was coming from Paschim Vihar and at about 10:15 am when they reached near Chander Vihar where Ravana Dahan programme was being organised, they stood there and decided to watch the programme. In the meantime, two boys came and started smoking and when the complainant and his friend raised an objection they started abusing and quarrelling. One of them attacked on the complainant with a sharp weapon due to which the complainant suffered



injuries. This led to the registration of the aforesaid FIR.

3. Notice in the matter was issued on 09.01.2024 with a direction to file the status report.

4. Learned APP for the State has handed over a status report today in the Court, the same is taken on record. He submits that though the injury has been opined to be grievous in nature but the same is only on the little finger of the complainant.

5. On a query put by the Court, learned APP for the State, on instructions from the Investigating Officer, states that the present petitioner does not have any criminal record.

6. Considering the fact that the injury is on the non-vital part of the complainant and he is in custody since 27.11.2023, this Court is of the view that the petitioner is entitled to regular bail subject to his furnishing personal bond in the sum of Rs.25,000/- and one Surety Bond of the like amount, subject to the satisfaction of the learned Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-

(a) Petitioner/applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.

(b) Petitioner/applicant shall provide mobile number to the IO concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the Investigating Officer concerned

(c) Petitioner/applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with the, witnesses or any family members of the witnesses.

7. It is made clear that the observations made herein above are only for



the purpose of considering the bail application and the same shall not be deemed to be an expression of opinion on the merits of the case.

8. The petition stands disposed of.
9. Copy of the order be forwarded to the concerned Jail Superintendent for information and necessary compliance.
10. Order dasti under signatures of the Court Master.
11. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

FEBRUARY 1, 2024
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