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

+ BAIL APPLN. 132/2023

VEERU

..... Applicant

Through: Mr.Vineet Jain, Adv.

versus

STATE GNCT OF DELHI

..... Respondent

Through: Mr.Aman Usman, APP for
State alongwith Insp. Ram
Narayan and Insp. Yogendra
Kumar

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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19.01.2024

1. This application has been filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973 (in short, 'CrPC') seeking release on bail in relation to FIR No. 0001/2017 registered at Police Station: Chanakyapuri, Delhi under Sections 302/324/323/34 of the Indian Penal Code, 1860 (in short, 'IPC') read with Sections 25/27 of the Arms Act, 1959.
2. The learned counsel for the applicant submits that the applicant has been in custodial incarceration since 02.01.2017. He submits that the applicant was not even granted *interim* bail during the COVID-19 period.
3. He further submits that one of the alleged eye-witnesses, that is, Mr.Sahil (PW3), turned hostile and did not support the case of the prosecution. Similarly, another alleged eye-witness, Mr.Aman(PW7) also did not support the case of the prosecution.
4. On the other hand, the learned APP for the State submits that



the PW3, in his initial statement, had supported the case of the prosecution. It is only when he was recalled on an application filed under Section 311 of the Cr.P.C., that he retracted from his statement. He further submits that, in any case, 33 out of 38 witnesses have already been examined, and to release applicant on bail, at this stage, would not be proper. He submits that the conduct of the applicant in jail has also been reported to be not satisfactory. He submits that there are other criminal cases pending against the applicant under Section 195A IPC.

5. Without going into the merits of the allegations against the applicant, as 33 out of 38 witnesses have already been examined before the learned Trial Court and the trial has been pending since 2017, the present bail application is disposed of requesting the learned Trial Court to expedite the trial and to make an endeavour to conclude it within a period of six months from the first date of the listing of the case before it post this order.

6. In case there is any delay in the conclusion of the trial, which is not attributable to the applicant, the applicant shall be entitled to move an application seeking release on bail. Any such application filed, will be considered by the learned Trial Court in accordance with law.

NAVIN CHAWLA, J

JANUARY 19, 2024/ns/ss

Click here to check corrigendum, if any