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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 614/2024

LOKESH

..... Applicant

Through: Mr. Kamlesh Kumar &
Ms. Tripti Kamta, Advs.

versus

STATE

..... Respondent

Through: Mr. Utkarsh, APP for the
State with Ms. Priyanka,
Adv.
Inspector Sunil Kumar,
PS- Gulabi Bagh

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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10.04.2024

1. The present application is filed under Section 439 of the Code of Criminal Procedure, 1973 seeking grant of regular bail in FIR No. 268/2020 dated 11.12.2020, registered at Police Station Gulabi Bagh for offences punishable under Sections 302 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act, 1959.
2. The learned counsel for the applicant submits that co-accused persons, namely, Gaurav @ Gori, Vikas @ Vikky and Harish @ Janu, have already been admitted on bail in the present FIR No. 268/2020 by this Court.
3. He submits that the applicant has been implicated in the present case on a disclosure statement of co-accused, Gaurav @ Gori who has already been admitted on bail by this Court by order dated 01.02.2024.
4. It is not denied that the role attributed to the co-accused persons who have already been admitted on bail by the orders

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passed by this Court is similar to the role attributed to the present applicant.

5. The applicant is in custody since 31.12.2020 and the investigation in the present case is already complete, and the chargesheet has already been filed. Considering the aforesaid facts, I am of the opinion that no useful purpose would be served by keeping the applicant in further incarceration. It is not disputed that trial would take a considerable period of time.

6. It is also not denied that order granting bail to the co-accused persons has not been challenged.

7. Any apprehension regarding the applicant tampering with the evidence or fleeing from justice if released on bail can be taken care of by putting appropriate conditions.

8. In view of the above, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹20,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court / Duty MM / Link MM on the following conditions:

- a. He shall join and cooperate in further investigation as and when directed by the concerned Investigating Officer;
- b. He shall under not leave the boundaries of the National Capital Region without informing the Investigating Officer;
- c. He shall appear before the learned Trial Court on every date of hearing;
- d. He shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times;
- e. He shall not directly or indirectly make any inducement,



threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever.

9. In the event of there being any FIR/DD entry / complaint lodged against the applicant, it would be open to the State to seek redressal by filling an application seeking cancellation of bail.

10. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the Trial and also not be taken as an expression of opinion on the merits of the case.

11. The bail application is allowed in the aforementioned terms.

AMIT MAHAJAN, J

APRIL 10, 2024
“SS”