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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 799/2024

ROHIT

..... Applicant

Through: Mr. Nishant Rai Goel and
Mr. Gagan Talwar, Advs.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Pradeep Gahalot, APP
for the State with ASI
Rajesh (IO) and Insp.
Rajiv Kumar, PS Adarsh
Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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04.03.2024

**CRL.M.A. 7030/2024 (exemption from filing certified copies of
the fair typed copy of certain documents / Annexures)**

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present application is filed under Section 439 of the Code of Criminal Procedure, 1973 (**CrPC**) seeking grant of regular bail in FIR No. 18/2024 dated 10.01.2024, registered at Police Station Adarsh Nagar, for offence under Section 324 of the Indian Penal Code, 1860 (**IPC**).

4. The learned counsel for the applicant submits that the applicant is a young boy of 19 years of age and the FIR was registered alleging physical assault/stab injury, upon the complainant.

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5. He submits that the applicant has been implicated only on disclosure statement of the co-accused, who is alleged to have given the injury to the complainant / victim.
6. He submits that no allegation has been levelled against the applicant that he, in any manner, has given any blow or injury to the victim.
7. He submits that the main accused is the applicant's friend and it appears that he has hidden a knife in the applicant's house, which was later recovered. However, it is not alleged that the knife was used by the applicant for the purpose of injuring the complainant/victim.
8. The learned Additional Public Prosecutor for the State submits that serious injuries were caused to the victim and the applicant can be seen in the CCTV footage.
9. The learned counsel for the applicant has objected to the said contention and submits that a person wearing a helmet can be seen in the CCTV footage.
10. It is not disputed that no allegation has been made against the applicant that he, in any manner, caused any injury to the victim. He is a young boy of 19 years of age and keeping him in custody for further period of time, would not serve any purpose. It is not the case of the prosecution that the custody of the applicant is required for further investigation and his release would hamper the investigation in any manner.
11. In view of the above, the present application is allowed and the applicant is directed to be released on bail on furnishing a personal bond of ₹30,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/ Duty Metropolitan Magistrate/ Link Metropolitan Magistrate, on the following conditions:



- a. He shall provide address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- b. He shall under no circumstance leave the country without the permission of the Trial Court;
- c. He shall appear before the learned Trial Court as and when directed;
- 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 contact any of the witnesses or the complainants while on bail.

12. 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.

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

14. It is clarified that the observations made in the present case are only for the purpose of considering the 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.

AMIT MAHAJAN, J

MARCH 4, 2024

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