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

+ **BAIL APPLN. 1255/2024**

MOHD SAHABUDDIN

.....Petitioner

Through: Ms. Garima Singh and Mr. Prince
Kumar, Advs.

versus

THE STATE GOVT NCT DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP with ASI
Brigesh Kumar, PS: Mandawali.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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07.08.2024

1. An application under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for grant of regular bail in FIR No. 0627/2023 under Sections 307/34 IPC registered at P.S.: Mandawali Fazal Pur, Delhi.
2. In brief, as per the case of prosecution, complainant Chandan Singh alleged that on 13.08.2023, while he was standing along with his friend Jitender outside his house, Sahabuddin and Soni Lal, who were known to him, started arguing with Jitender over some issue. However, when the complainant intervened, Soni Lal caught hold of him from behind and Sahabuddin attacked him with scissors.
3. Learned counsel for petitioner submits that petitioner is in custody since 14.08.2023 and is no more required for the purpose of investigation, since chargesheet has been filed on record. He further submits that as per the MLC, the nature of injury is 'simple'.



4. On the other hand, learned APP for the State opposes the application. She submits that petitioner was earlier involved in another case, though it has been pointed out by learned counsel for petitioner that petitioner has been acquitted in the said case.

5. Petitioner is in custody since 14.08.2023 and is no longer required for purpose of investigation, since chargesheet has already been filed. The nature of injuries is opined to be simple in nature. The conclusion of trial is likely to take some time. Considering the totality of the facts and circumstances, petitioner is admitted to bail on furnishing personal bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount to the satisfaction of the learned Trial Court and subject to the following conditions :

- (i) Petitioner shall provide his mobile number to the Investigating Officer (IO) / SHO concerned at the time of release;
- (ii) Petitioner shall not threaten or influence the witnesses.

Application is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be sent to the Superintendent Jail and concerned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J.

AUGUST 07, 2024/R