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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 1421/2024

RAJESH KUMAR

..... Petitioner

Through: Mr. Sahil Malik, Mr. Nakul Khatri,
Mr. Sahil Lakra, Mr. Sumit Sheoran,
Mr. Lalit Rana and Ms. Sonali
Choudhary, Advocates.

versus

THE STATE NCT OF DELHI

..... Respondent

Through: Mr. Aashneet Singh, APP for State
alongwith SI Ramesh Chand P.S.
Gulabi Bagh.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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21.05.2024

1. By way of the present application filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in FIR No.309/2023 registered under Sections 308/326/341/34 IPC at P.S. Gulabi Bagh.
2. Learned counsel for the applicant/petitioner submits that the present FIR was lodged on account of dispute between the family members. It is stated that the complainant is real brother of the applicant and that a cross FIR being FIR No. 0003/2024 has been registered against the complainant under Sections 323/342/506/34 IPC at P.S. Gulabi Bagh. He further states that the applicant has joined the investigation. Lastly, it is stated that co-accused *Manoj* has already been released on regular bail.



3. Learned APP for State, duly assisted by learned counsel for the complainant, states that the injured *Satender Singh Yadav* has suffered grievous injury. It is further stated that the applicant is involved in two other cases being FIR No. 47/1994 registered under Sections 379/411 IPC and FIR No. 25/2010 registered under Sections 420/467/468/471 IPC.

4. At this stage, learned counsel for the applicant states that the applicant has already been acquitted in FIR No. 47/1994 whereas he is on bail in FIR No. 25/2010.

5. I have heard learned counsel for the applicant and learned APP for the State and have also gone through the MLC of injured as well as the medical opinion on the same. On specific query, it is informed that MLC is silent as to whether any X-ray was conducted.

6. Keeping in view the aforesaid facts and circumstances including the fact that the applicant has joined the investigation, it is directed that in the event of arrest, the applicant be released on bail subject to him furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when asked.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.



(iv) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.

(v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.

(vi) The applicant shall regularly appear before the trial Court as and when the charge sheet is filed.

7. The application is disposed of in the above terms.

MANOJ KUMAR OHRI, J

MAY 21, 2024/ssc