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

+ **BAIL APPLN. 1924/2023**
MANOJ @ REHTAL

..... Applicant

Through: Ms. Tanya Agarwal, Adv.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr.Aman Usman, APP with SI
Pardeep Kumar

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
12.01.2024

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1. By this application, the applicant prays for grant of regular bail in FIR No. 0774/2020 registered at Police Station: Rajouri Garden under Sections 307/120B/34 of the Indian Penal Code, 1860 (in short, 'IPC').

2. It is the case of the prosecution that, on 01.09.2020, the complainant, one Mr.Babu, complained that his wife was having an extra marital relationship with the accused. This led to a marital discord between them. On the said date, at around 10.40 PM, when he was returning from the Sheetala Mata Mandir, Raghbir Nagar, the accused accosted him, on which he ran away from there. The accused again accosted him near the Ambedkar Park TC Camp around 11.15 PM, and after abusing him, fired two bullets at him, one towards his



feet and the second which missed him. On investigation, it was found that the cartridge recovered from the spot matched with the gun recovered from the applicant herein, the accused.

3. The learned counsel for the applicant submits that the applicant has been falsely accused in this case due to the marital discord between the complainant and his wife. She submits that admittedly the complainant has not been injured, though according to him, two bullets were fired towards him.

4. She further submits that the applicant was earlier enlarged on *interim bail* by the High Powered Committee and was on interim bail for 23 months. He has not misused the said indulgence granted and had duly surrendered to the jail authorities. She submits that the applicant has already suffered imprisonment for more than 17 months.

5. The learned APP for the State, on the other hand, submits that there are grave charges against the applicant and the weapon of offence has also been recovered from him. He further submits that the applicant is also involved in another case and, therefore, he should not be enlarged on bail.

6. I have considered the submissions made on behalf of the learned counsels for the parties.

7. In the present case, there is no injury suffered by the complainant. Further, as contended by the learned counsel for the applicant, the applicant was earlier enlarged on interim bail for about 23 months and there is no allegation that he, in any manner, had misused the said indulgence, and he had surrendered on time. He has been in judicial custody for more than 17 months and the charge-sheet



already stands filed. The trial of the case is likely to take long.

8. Keeping in view the above facts and circumstances, the applicant is directed to be released on Regular Bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount, subject to the satisfaction of the Ld. Trial Court, and further subject to the following conditions:

- i. The Applicant will not leave the country without the prior permission of the Ld. Trial Court.
- ii. The Applicant shall provide his permanent address to the Ld. Trial Court. The applicant shall also intimate the Court, by way of an affidavit, and to the IO regarding any change in his residential address.
- iii. The Applicant shall appear before the Ld. Trial Court as and when the matter is taken up for hearing.
- iv. The Applicant shall provide all/latest/fresh mobile numbers to the IO concerned, which shall be kept by the applicant in a working condition at all times and shall not be switched off or changed by him without prior intimation to the Ld. Trial Court and the IO concerned. The mobile location be kept on at all times.
- v. The Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact, directly or indirectly, with any of the prosecution witnesses.
- vi. That Applicant shall not, directly or indirectly, try to contact/influence/threaten the complainant/victim.



9. Needless to state, any observations touching the merits of the case is purely for the purposes of deciding on the question of grant of bail and shall not be construed as an expression on the merits of the matter.

10. The Bail Application is disposed of in the above terms.

11. Copy of this order be sent to the Jail Superintendent for information and necessary compliance.

NAVIN CHAWLA, J

JANUARY 12, 2024/ns/am

[Click here to check corrigendum, if any](#)