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

+ **BAIL APPLN. 1613/2024**

SORAV VERMA

..... Petitioner

Through: Mr. Bharat Bhushan Singh, Mr.
Karan Sharma, Mr. Inder Das
Singh & Mr. Divy Pal Singh,
Advs.

versus

THE STATE (GOVT. OF NCT OF DELHI)..... Respondent

Through: Ms. Kiran Bairwa, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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08.05.2024

CRL.M.A.14071/2024

13. This is an application under Section 482 Cr.PC seeking exemption of filing of certified copies, the same is allowed.

14. The application stands disposed of.

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15. This is an application moved by the applicant Sorav Verma seeking anticipatory bail in terms of Section 438 of the Cr.P.C.

16. Learned APP is present for the State with IO SI Nitin Kumar on advance notice. Notice is accepted. There is no need to file a reply.

17. Heard and perused the record. The present FIR was registered on 10.03.2024 at 2.30 P.M. based on a complaint lodged by Himanshu Saini s/o Sh. Khem Chand, who claimed himself to be an eye-witness of the incident that occurred on 09.03.2024 at around 11.00 P.M and apparently also removed the victim to the Hospital.



18. As per the prosecution case, the deceased Namit aged about 27 years was having meals with the complainant and a third friend when a sudden altercation ensued between him and the offenders and one of the offender administered a fist blow on his head, who fell down and was rendered unconscious. He was removed to the Dr. Hed Gekar Hospital and from there referred to GTB Hospital, and unfortunately succumbed his injuries on 23.03.2024.

19. Initially, the FIR was registered under Section 323 read with Section 341 IPC and consequent to the death of the victim, same was converted to one under Section 304/308 read with Section 34 of the IPC. As per the complaint, the accused persons were identified as Chandan s/o Surender, Govind s/o Gangadhar and Gaurav Sharma S/O Chandar Mohan Sharma

20. During the course of argument, the IO SI Nitin Kumar submitted that the aforesaid three named accused persons along with fourth viz., one Jitender have since been arrested and they are presently in judicial custody. It is submitted that as per disclose statement made by the co-accused persons, the present applicant/Sorav Verma was the main culprit who had assaulted the victim. The version of the IO does not inspire confidence.

21. As per the MLC prepared at the Dr. Hed Gekar Arogya Sansthan, Karkardooma at 11.28 P.M., the injured/victim was having smell of alcohol and it was found that injuries in the nature of swelling and grand abrasion 4x4 cm on the occipital region besides abrasion on the forehead 2x2 cm, which injuries are at variance with the version of the complaint lodged by Himanshu Saini s/o Sh. Khem Chand.

22. The post-mortem report reflects that the deceased died due to craniocerebral damage and its complications consequent upon blunt



force impact to the head.

23. Having regard to the contents of the allegations levelled in the complaint and belated filing of the FIR, the possibility of the applicant being implicated falsely cannot be ruled out.

24. Hence, the present application is allowed. The applicant is admitted to bail on furnishing PB/SB in the sum of Rs.25,000/- subject to satisfaction of the IO and he shall join the investigation as when directed by the IO.

25. Copy of this order be given *dasti* to the learned counsel for the applicant.

DHARMESH SHARMA, J.

MAY 8, 2024/sa