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

+ **BAIL APPLN. 1646/2024**

NEERAJ KUMAR@ DEV KUMAR@ SUNNYPetitioner

Through: Mr. Pawan Mehta, Mr. Dushyant
Bhargava, Mr. Bharat Bhushan, Mr.
Nirender and Mr. Nitin Rawat,
Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Laksh Khanna, APP for State
with ASI Dhramveer PS Ranhola,
Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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30.07.2024

1. By way of present bail application, the applicant seeks regular bail in FIR No. 733/2023 registered under Sections 308/323/325/341/506/34 IPC at Police Station Ranhola, Delhi.

2. Learned counsel for the applicant states that the applicant is in custody since 23.03.2024. It is further stated that two days prior to the incident in the present case, FIR No.652/2023 came to be registered under Sections 394/397/227/411/506/34 IPC at PS Dabri, Delhi, at the instance of the co-accused, namely, Abhishek @ Bidi against the victim in the present case, namely Lalit who has been released on regular bail vide order dated 30.05.2024. It is stated that two days after the incident in the said FIR, the present FIR came to be registered at the instance of the victim, namely Lalit. It is further confirmed that chargesheet has already been filed and that the applicant is not involved in any other case.



3. The application is vehemently opposed by learned APP for the State. It is stated that the injuries suffered by the complainant are grievous in nature. The victim has been beaten black and blue with *dandas* and fist blows, resulting in injuries all over the body, including on the head. On instructions, it is further stated that the charge-sheet has been filed only under Sections 308/323/325/341/506/34 IPC and that the applicant is not involved in any other case.

4. It appears that the two groups have fought with each other, resulting in two incidents, on account of which two separate FIRs were registered. In the present case, the charge-sheet has already been filed on 13.05.2024 and the charges are yet to be framed. In the first FIR where the victim of the present case is an accused, has already been released on bail. The applicant is stated to be aged 21 years.

5. Considering the totality of the facts and circumstances, the nature of the allegations and the period of custody and the further fact that the applicant is not found to be involved in any other case, it is directed that the applicant be released on regular bail, subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty M.M. and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating



Officer as well as to the concerned Court.

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

v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

6. The bail application is disposed of in the above terms.

7. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.

8. Copy of the order be uploaded on the website forthwith.

9. Needless to state that this Court has not expressed any opinion on the merits of the case and have made the observations only with regard to present bail applicant and nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

JULY 30, 2024/rd