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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
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+ **BAIL APPLN. 1672/2024**

VINAY RANGA @ DHALU

..... Petitioner

Through: Mr. Nitin Ahlawat, Mr. Kuldeep Sharma, Mr. Kshitiz Ahlawat, Mr. Manish Ahlawat, Mr. Akshay Kaushik, Ms. Sarika Ahlawat, Mr. C.P. Rana, Mr. Kaushal Ahlawat, Mr. Arun Premi and Mr. Manish Ahlawat, Advocates.

versus

STATE GOVT OF NCT OF DELHI THROUGH SHO P.S. BURARI & ANR.

..... Respondents

Through: Mr. Aman Usman, APP for State with SI Sudhir Rathi, PS Burari.

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+ **BAIL APPLN. 1815/2024**

RAM TYAGI

..... Petitioner

Through: Mr. Manu Sharma, Mr. Yash Giri, Mr. Anuj Shukla and Mr. Kartikay Masta, Advs.

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Aman Usman, APP for State with SI Sudhir Rathi, PS Burari.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

02.07.2024

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BAIL APPLN. 1672/2024

1. Learned counsel for the petitioner Vinay Ranga @ Dhalu seeks to withdraw the application without prejudice to the rights and contentions of the petitioner.
2. Taking the statement of learned counsel for petitioner on record, application is dismissed as withdrawn.

BAIL APPLN. 1815/2024

1. An application under Section 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner Ram Tyagi for grant of regular bail in FIR No. 0869/2023 under Sections 307/325/341/506/34 IPC registered at P.S.: Burari. Charge sheet has been filed under Sections 307/325/341/506/34/147/148/149 IPC.
2. In brief, as per the case of prosecution, a PCR call/DD no.108 was received on 07.07.2023 regarding a quarrel. Injured Rohit Giri alleged that while he was constructing a boundary wall at his property at Gali No. 20-A, Kaushik Enclave, Burari, 25-30 persons reached the spot in 5-6 cars and started assaulting the complainant with iron rods, sticks and bricks. When he tried to escape, shot were fired at him, but he managed to escape. Thereafter, complainant was followed at Amrit Vihar Bus Stand, wherein Vinay Ranga @ Dhalu (petitioner in BAIL APPLN. 1672/2024) alongwith his associates Ram Tyagi (petitioner in present Bail Application), Yogesh Sosodia and others started assaulting him with rods and sticks. On hearing his screams, father of the complainant tried to save him, but he was also assaulted. The accused thereafter fled from the spot in their cars.
3. Learned counsel for the petitioner submits that firing of shots could not be corroborated during investigation as empty cartridges were not recovered



from the spot and has not been supported by some of the witnesses. Further in the site plan, no recovery of empty cartridges is reflected. He further submits that co-accused Pawan Kumar Singh, Adwin @ Kartik, Gurpreet Singh, Harsh, Sunil Kumar Singh, Narender Singh and Ajay Singh have since been released on bail. It is pointed out that no gunshot injury was suffered by the complainant and none of the vehicles, which were seized, belongs to the petitioner.

4. On the other hand, the application is opposed by learned APP for the State. He submits that the complainant was followed by Vinay Ranga @ Dhalu, alongwith petitioner Ram Tyagi, Yogesh Sisodia and others after complainant initially escaped and grievous injuries were suffered by both complainant and his father. He also points out that only after initiation of proceedings under Section 82/83 Cr.P.C., the petitioners surrendered and were taken into custody. Petitioner Ram Tyagi is further stated to be involved in another case bearing FIR No. 0726/2023, under Section 379 IPC.

5. I have given considered thought to contentions raised. It cannot be ignored that though the complainant had escaped after the initial assault, he was followed and subsequently again attacked. Considering the grievous nature of injuries, which were suffered by the complainant and his father, facts and circumstances of the case and role of petitioner, no grounds are made out for bail at this stage. Application is accordingly dismissed.

ANOOP KUMAR MENDIRATTA, J

JULY 2, 2024/akc