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

+ **BAIL APPLN. 1843/2024 & CRL.M.(BAIL) 893/2024**

INDER MOHAN SINGH

..... Petitioner

Through: Mr Gurmukh Choudhri, Advocate

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr Laksh Khanna, APP for the State
with SI Omkar Mal, PS Prasad Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

05.06.2024

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1. The present petition has been filed under Section 439 CrPC read with Section 482 CrPC seeking regular bail in connection with FIR No.0172/2024 under Sections 325/326/506/34 IPC registered at PS Prasad Nagar.

2. The case of the prosecution in brief is that the FIR was registered on the statement made by the complainant alleging that on 12.04.2024 at around 7:30 PM, he had gone to withdraw money from the ATM located at Kikarwala Chowk and after withdrawing the money, he came out of the ATM. At that moment, the owner of the building, namely, Inder Mohan Singh, the present petitioner, came and picked up a quarrel by abusing and fighting without any provocation.

3. The petitioner/accused went to his house and brought a sword and attacked on the right hand of the complainant with the sword. During this time, elder brother of the petitioner came and started threatening to kill. The



complainant suffered injury and was taken to LHMC hospital, New Delhi.

4. Learned counsel for the petitioner submits that the present petitioner is a senior citizen and he has been falsely implicated. He submits that the investigation in the matter is complete and the custody of the petitioner is no more required. He further submits that the petitioner does not have any criminal record. He, therefore, urges the Court to enlarge the petitioner on bail.

5. *Per contra*, learned APP for the State has argued on the lines of the status report. He submits that the injury suffered by the complainant is grievous in nature. He further submits that though the investigation is complete but the chargesheet is yet to be filed. He, therefore, urges the Court to reject the bail application.

6. I have heard the learned counsel for the petitioner, as well as, the learned APP for the State and have perused the material on record.

7. It is not in dispute that the petitioner is a senior citizen and he does not have any criminal record. The petitioner is in custody since 13.04.2024. The investigation in the matter is complete and the custody of the petitioner is apparently not required either for recovery or for any other purpose. The petitioner is a permanent resident of Delhi, therefore, he does not appear to be a flight risk.

8. Considering the aforesaid circumstances, this Court is of the view that the petitioner is entitled to grant of regular bail. Accordingly, the petitioner is admitted to regular bail subject to his furnishing Personal Bond in the sum of Rs. 25,000/- and a Surety Bond of the like amount, subject to the satisfaction of the learned Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-



- (a) Petitioner/applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
- (b) Petitioner/applicant shall provide his mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the Investigating Officer concerned.
- (c) Petitioner/applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with the, witnesses or any family members of the witnesses.
9. It is made clear that the observations made herein above are only for the purpose of considering the bail application and the same shall not be deemed to be an expression of opinion on the merits of the case.
10. The petition stands disposed of.
11. Copy of the order be forwarded to the concerned Jail Superintendent for information and necessary compliance.
12. Order be uploaded on the website of this Court.
13. Order *dasti* under signatures of the Court Master.

VIKAS MAHAJAN
(VACATION JUDGE)

JUNE 5, 2024
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