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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3720/2021**

MOHD SALMAN

..... Petitioner

Through: Mr. Salman Khurshid, Sr. Advocate
with Ms. Anshu Kapoor and Mr. Bilal
A. Khan, Advocates.

versus

STATE OF NCT DELHI

..... Respondent

Through: Mr. Rajat Nair, SPP and Mr. Dhruv
Pande, Advocate with Insp. Sanjay
Kaushik, Crime Branch.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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30.05.2024

1. By way of present application filed under Section 439 Cr.P.C., the applicant seeks regular bail in FIR No. 54/2020 registered under Sections 147/148/153-A/505/120-B/302/34 IPC and Section 25 of the Arms Act at P.S. Karawal Nagar, Delhi.
2. Learned counsel for the applicant contends that applicant has been falsely implicated in the present FIR. It is stated that the applicant was arrested on 20.03.2020 and has been in custody since. It is further submitted that though all the material witnesses have been examined, however, still 25 witnesses are yet to be examined and that the trial is likely to take time. It is also submitted that no recovery has been affected from the present applicant. Lastly, it is submitted that applicant has already been released on regular bail by this Court in other cases being FIR No. 61/2020 vide order dated 29.05.2024 and FIR No. 59/2020 vide today's order.



3. Ld. SPP for the State, on the other hand, has opposed the bail application. However, he, on instructions, confirms that all the material witnesses have been examined. He further submits that CCTV footage related to the incident dated 25.02.2020 could not be collected as the CCTV cameras installed near the place of incident were already damaged and destroyed in the evening of 24.02.2020 by the mob. He further refers to the testimonies of the witnesses who have already been examined to submit that present applicant was identified as part of the mob.

4. I have heard the learned counsels for the parties and perused the material available on record.

5. Keeping in view the fact that applicant has already been released on regular bail in aforementioned other FIRs; the period of custody in the subject FIR and the further fact that all the material witnesses have been examined, it is directed that the applicant be released on regular bail, subject to his furnishing a personal bond in the sum of Rs.50,000/- 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 for information.
8. Needless to state that 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

MAY 30, 2024

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