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

+ **BAIL APPLN. 2472/2024**

ROHIT@MOHIT@SNIPER

.....Petitioner

Through: Ms. Deepshikha, Advocate.

versus

STATE(NCT OF DELHI)

.....Respondent

Through: Ms. Priyanka Dalal, APP for the
State.

SI Deepak Kumar, PS Jahangir Puri.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **18.07.2024**

CRL.M.A. 20704/2024, CRL.M.A. 20705/2024 & CRL.M.A. 20706/2024

(Exemption)

Allowed, subject to all just exceptions.

BAIL APPLN. 2472/2024

1. The present application under Section 439 Cr.P.C has been filed by the Petitioner for grant of regular bail in FIR No.03/2024 dated 04.01.2024, registered at Police Station Jahangir Puri for offences punishable under Sections 307/120B/147/148/149/34 of IPC and Section 25 of the Arms Act.
2. The facts as stated in the chargesheet reveal that one child Sarfaraz aged 13 years of age was injured by a gun shot. As per the statement of injured Sarfaraz, it is stated that on 04.01.2024 at 04:30 PM, he along with with other children was playing in the park and suddenly about 7-8 persons came there and started firing gun shots and one of the bullets hit him and he



was injured. The FIR has been instituted on the complaint of one Sagar to the effect that he had an enmity with Akash @ Akku and Mukesh @ Bhola and on 04.01.2024 when he was present in a park near his house alongwith his friend Nandu, the accused persons, namely Akash @ Akku and Mukesh @ Bhola came to the said place alongwith the other persons, namely Babu, Kanna, Suri, Sanju, Dehla and Inderpal @ Bhairon entered the park and attacked him and fired at him. However, in a supplementary statement, the name of the Petitioner also figures stating that he had also come there alongwith other accused persons. On the said complaint, the present FIR was registered and the Petitioner herein has been arrested.

3. It is stated by the learned Counsel for the Petitioner that bail has been granted to a co-accused Sanju by this Court *vide* Order dated 25.06.2024. A perusal of the said Order shows that there is no reference to the supplementary statement in that Order.

4. In view of the fact that the Petitioner has been named in the supplementary statement and the victim has suffered a gun shot injury, this Court is not inclined to grant bail to the Petitioner at this juncture more so, because there is a chance of evidence being tampered with if the Petitioner is enlarged on bail. Chargesheet has been filed and charges are yet to be framed.

5. It is stated that the matter is listed before Trial Court on 02.08.2024 for framing of charges. The Trial Court is requested to frame charges on that day itself and examine the complainant Sagar and child witnesses within a period of four months from today.

6. Liberty is granted to the Petitioner to approach the Competent Court for grant of bail after child witnesses are examined.



7. With these observations, the application is disposed of. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

JULY 18, 2024

S. Zakir