



\$~50

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

+ **BAIL APPLN. 3530/2023**

RAJESH BREJA

.....Petitioner

Through: Mr. Sunil K. Mittal, Adv. (VC), Mr. Anhsul Mittal, Ms. Khushi Aggarwal, Mr. Sarthak Tagra, Advs.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Pradeep Gahalat, APP for State with SI Rahul, PS Paschim Vihar East (Crime Branch)
Mr. Siddharth Agarwal and Mr. Jayant Mehta, Sr. Advs., with Mr. Samar Kachwaha, Mr. Rahul Kripalani, Ms. Rea Bhalla, Mr. Agnish Aditya, Ms. Supraja V. Advs.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

24.10.2024

%

CRL.M.A. 31559/2024 in BAIL APPLN. 3530/2023

1. The present application has been filed under Section 538 of BNSS, 2023 with the following prayer:

*“1. Allow the present application and grant protection from arrest to the Applicant in the present case for a period of 30 days or such other reasonable period, where after the Applicant undertakes to surrender himself before the Ld. Trial Court in respect of FIR in question as per law; and
2. Pass such other or further order(s) in the matter as may be deemed to be fit and just in the interest of justice.”*



2. Issue notice.
3. Learned APP for the State has accepted the notice.
4. Mr. Rahul Kripalani, has accepted the notice.
5. Learned APP has opposed the bail application on the ground that once an application for anticipatory bail is rejected, there is no jurisdiction with the Court to grant protection from arrest to the applicant for a period of 30 days or other reasons.
6. Mr. Siddharth Agarwal and Mr. Jayant Mehta, learned senior counsels have also opposed the bail application on the ground that the application itself is not maintainable.
7. However, without going into the rival contention of the parties and taking into account the health conditions as has been stated in the application which is accompanied with an affidavit of the petitioner, the present application is disposed of with the directions to the petitioner to surrender before the learned Trial Court on 15.11.2024.

DINESH KUMAR SHARMA, J

OCTOBER 24, 2024
JN/HT..