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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2653/2024 & CrI. M.A. 22111/2024

VIRENDER

.....Petitioner

Through: Mr. Maninder Singh, Senior Advocate with Mr. Ajay Kumar Pipaniya, Mr. Lavish Chhikara, Mr. HPS Anand, Mr. Gopesh Jindal, Ms. Diksha Dharia, Mr. Turang Pandit and Ms. Sanjana Nain, Advocates.

versus

STATE(GOVT OF NCT OF DELHI)

.....Respondent

Through: Mr. Laksh Khanna, APP for State with Inspector Minta Singh PS S.P. Badli, Delhi.

Ms. Nikita Duhan, Advocate for deceased.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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24.10.2024

1. The present application has been filed on behalf of the applicant/petitioner seeking anticipatory bail in FIR No. 0122/2024 registered under Sections 302/354B/506/509/34 IPC at P.S. Samaipur Badli, Delhi.

2. Mr. Maninder Singh, learned Senior Counsel appearing for the petitioner submits that in the present case, the FIR came to be registered in the context of an incident which has statedly occurred on 21.01.2024 when an altercation took place with one *Akshay*. He further states that it is the case of the prosecution that on hearing a commotion, his maternal aunt came out and was pushed and punched by some of the accused persons, namely *Chela*



and *Bihari*, which resulted in an accidental fall leading to her death. It is also submitted that no overt act has been attributed to the present applicant/petitioner in the said incident.

3. Learned APP for the State, on instructions, also fairly confirms the same. He, however, states that no cause of death has been opined in the post-mortem report and that certain forensic reports are still awaited. Learned APP further submits that an overt act has been attributed to the applicant in the altercation with *Akshay*, however insofar as the incident relating to the deceased is concerned, no overt act has been attributed.

4. Considering the totality of the incident and the facts and circumstances of the case as well as in view of the submissions that the death was stated to be accidental, it is directed that in the event of arrest, the applicant/petitioner be released on bail subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when, he is asked for.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.



- (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
 - (vi) The applicant shall regularly appear before the trial Court as and when the charge-sheet is filed.
5. Needless to state that in case the complainant apprehends any threat, the same would be looked into by the concerned SHO.
6. The bail application is disposed of in the above terms along with pending application.

MANOJ KUMAR OHRI, J

OCTOBER 24, 2024/rd