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

+ **BAIL APPLN. 3967/2023**

NAVEEN @ AKSHAT

..... Applicant

Through: Ms.Bhakti Pasrija, Mr.Deepak
Bajpai, Mr.Moksh Pasrija,
Mr.Sonu Mandal, Mr.Vikan S.,
Advs.

versus

STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr.Aman Usman, APP with SI
Gulab Singh.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

25.01.2024

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1. This application has been filed under Section 439 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking release on bail in FIR No.508/2021 registered at Police Station: Narela (Investigated by Crime Branch, North), Delhi under Sections 336/387/427/506/120B/34 of the Indian Penal Code, 1860 (in short, 'IPC') and under Sections 25/27 of the Arms Act, 1959 (in short 'Arms Act').

2. It is alleged by the prosecution that on 17.11.2021, a complaint was received from one Mr.Anil @ Rinku that for the past 5-6 days his employee-Mr.Ravinder has been receiving WhatsApp calls from a number but no conversation was taking place. On 16.11.2021, when his employee received a call from the same number, the person calling the phone demanded Rs.1 crore from him presuming him to be the



complainant. Subsequently, another call was received on 17.11.2021. On the morning of the said date, when he was going to his office, his brother informed that someone has fired shots at his office. On investigation, a cartridge and a note demanding money was recovered from the spot. On secret information the applicant was apprehended. It is stated that the applicant confessed to the crime.

3. The learned counsel for the applicant submits that the applicant is a young boy aged around 22 years and has been in custody for more than two years. He has no criminal antecedents and his conduct in jail is also reported to be satisfactory. She further submits that the co-accused, who, as per the prosecution, had fired at the office of the complainant, has already been released on bail.

4. On the other hand, the learned APP for the State submits that the allegations against the applicant are grave in nature. The handwriting on the note also matches with that of the applicant.

5. In rejoinder, the learned counsel for the applicant submits that even as per the prosecution, the English writing on the alleged note has not matched with that of the applicant and, in any case, it is a matter of trial.

6. I have considered the submissions made by the learned counsels for the parties.

7. Keeping in view that the applicant has been in custody for more than two years; co-accused, who is alleged to have fired on the office of the complainant, has already been released on bail, and there is no prior criminal antecedents of the applicant reported, the applicant, that is, Naveen @ Akshat @ Cheeta be released on bail in FIR



No.508/2021 registered at Police Station: Narela (Investigated by Crime Branch, North), Delhi under Sections 336/387/427/506/120B/34 of the IPC and under Sections 25/27 of the Arms Act on furnishing a personal bond in the sum of Rs.25,000/- with one local surety of the like amount, subject to the satisfaction of the learned Trial Court, and further subject to the following conditions:

- i. The Applicant will not leave the country without the prior permission of the learned Trial Court;
- ii. The Applicant shall provide his permanent address to the learned Trial Court. The applicant shall also intimate the Court, by way of an affidavit, and to the IO regarding any change in his residential address;
- iii. The Applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing;
- iv. The Applicant shall provide all/latest/fresh mobile numbers to the IO concerned, which shall be kept by the applicant in a working condition at all times and shall not be switched off or changed by him without prior intimation to the learned Trial Court and the IO concerned. The mobile location be kept on at all times;
- v. The Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact, directly or indirectly, with any of the prosecution witnesses;
- vi. The applicant shall report to the concerned SHO of Police Station: Narela once in a month.



5. Needless to state, any observation touching the merits of the case is purely for the purposes of deciding the question of grant of bail and shall not be construed as an expression on merits of the matter.
6. The Bail Application is disposed of in the above terms.
7. Copy of this order be sent to the Jail Superintendent for information and necessary compliance.
8. *Dasti.*

NAVIN CHAWLA, J

JANUARY 25, 2024/Arya/RP

Click here to check corrigendum, if any