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

+ **BAIL APPLN. 2845/2024**

MOHD. UVESH

.....Petitioner

Through: **Mr. Abhinav Garg &
Mr. Vijay Khatri, Advs.**

versus

STATE OF NCT OF DELHI

.....Respondent

Through: **Mr. Naresh Kumar
Chahar, APP for the State
with Mr. Amit Goel, Ms.
Ruchi Goel, Mr.
Vikramjeet & Mr. Vipin
Bansal, Advs.
SI Rohit, PS- Bawana**

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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12.08.2024

CRL.M.A. 23829/2024 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

BAIL APPLN. 2845/2024

3. The present application is filed seeking regular bail in FIR No. 265/2024 dated 06.04.2024 registered at Police Station Bawana for offences under Sections 386/506/120B/34 of the Indian Penal Code, 1860 ('IPC').
4. The FIR was registered on a complaint given by the complainant, Rajesh, who alleged that on 04.04.2024, when he was coming from his home, he was beaten up severely by some people. He alleged that the said persons further committed extortion at the instance of accused – Harsh.



5. During the course of investigation, the Police arrested seven accused persons including the applicant herein.

6. It is alleged that the accused persons were identified by the complainant.

7. The learned counsel for the applicant submits that the applicant has been falsely implicated in the present case solely on the basis of the statement of the victim.

8. It is pointed out that the co-accused – Kanhaiya, who is alleged to be one of the persons who was involved in the alleged offence, has already been admitted on bail by order dated 25.07.2024, passed by the learned Trial Court.

9. The applicant is in custody since 06.04.2024 and the investigation is complete. The chargesheet has already been filed. The role alleged against the applicant is not graver than the co-accused – Kanhaiya, who has already been enlarged on bail.

10. It is not disputed that the recovery has also been effected. The applicant is, therefore, entitled for grant of bail on the ground of parity.

11. In view of the above, without commenting on the merits of the case, the applicant is directed to be released on bail on the ground of parity (if not in custody in any other case) on furnishing a personal bond for a sum of ₹50,000/- with two sureties of the like amount, subject to the satisfaction of the learned Trial Court on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;



- b. The applicant shall under no circumstance leave the boundaries of the country without the permission of the learned Trial Court;
 - c. The applicant shall appear before the learned Trial Court as and when directed;
 - d. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
 - e. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
12. In the event of there being any FIR/ DD entry/ complaint lodged against the applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.
13. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the Trial and also not be taken as an expression of opinion on the merits of the case.
14. The bail application is allowed in the aforementioned terms.

AMIT MAHAJAN, J

AUGUST 12, 2024
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