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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6658/2019**

STATE

.....Petitioner

Through: Mr. Ajay Vikram Singh,
APP for the State.
SI Manoj Kumar (P.S.
AEKC Crime Branch).
Mr. Amit Ahlawat,
Advocate.

Versus

SUNIL KUMAR BALHARA

.....Respondent

Through: Mr. H.S. Phoolka, Sr.
Advocate with Ms. Shilpa
Dewan & Ms. Surpreet
Kaur, Advocates.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
26.09.2024

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1. The present petition is filed challenging the order dated 30.09.2019 passed by the learned Additional Sessions Judge ('ASJ'), Saket Courts, Delhi in FIR No. 227/2019 whereby the respondent was enlarged on bail.

2. The FIR in the present case was registered on a complaint given by the complainant/ Anil Kumar Chaudhary alleging that on 07.08.2019 at about 10:30 pm when the complainant was on his way home from his office and had reached in front of the Hudco Place, four accused persons in their Honda City car chased the complainant's car, and allegedly forcibly stopped his car. It is alleged that thereafter, the accused persons came out of

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their car, and allegedly started assaulting the complainant with iron rod, paper cutter, and with fists and kicks. It is alleged that the accused persons gave beatings to the complainant on his body and legs by iron rod. It is alleged that the complainant raised an alarm, and two patrolling police personnel came near the spot. It is alleged that upon seeing the police, the accused persons started running away, however, two accused persons namely Lalit and Amarjeet Singh were caught red handed at the spot.

3. Mr. H.S Phoolka, learned Senior Counsel, states that the accused person has not been appearing before the learned Trial Court which has prolonged the trial.

4. The bail was granted to the respondent way back in the year 2019. The chargesheet has already been filed. It is not the case of the prosecution that any part of investigation is still pending or that their custody is required at this stage.

5. However, considering that the trial has prolonged, this Court is of the opinion that further conditions ought to be imposed.

6. In view of the above, the respondent is directed to appear before the learned Trial Court on every date of hearing and no unwarranted adjournments shall be taken.

7. The respondent is directed to provide his mobile number to the concerned Investigating Officer, and he shall keep his mobile phone active, and switched on at all times.

8. The respondent is also directed to provide to the concerned Investigating Officer his residential address where he is residing and shall not change his address without informing the concerned IO.

9. The State as well as the complainant are at liberty to file an application before the learned Trial Court seeking cancellation of
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bail in case the respondent is found violating any of the conditions as imposed by the learned Trial Court or by this Court by the present order.

10. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

SEPTEMBER 26, 2024

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