



\$~8

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

+ **BAIL APPLN. 2874/2024**

JAI SINGH

.....Petitioner

Through: Mr Hirein Sharma, Mr Birendra Kumar Pandey,
Mr Saurabh Goel and Mr Tushar Ahuja, Advs.

versus

STATE OF NCT OF DELHI

THROUGH SHO JAFFARPUR KALANRespondent

Through: Ms Meenakshi Dahiya, APP for State
Additional DCP Nishant Gupta, District : Dwarka
W/SI OS Thakur, PS-JP Kalan, Inspector Ashok
Giri, PS-JP Kalan
Mr Harshit Vashisht, Mr Avinash Kapoor, Ms
Sonia Kapoor, Ms Shivdeep Tripathi and Mr
Lakshay Seth, Advs. for complainant with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

11.11.2024

%

1. This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking anticipatory bail in FIR No. 90/2024 under Sections 74/3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS') registered at Police Station - Jaffarpur Kalan.
2. When the matter came up for hearing on 14.08.2024, this Court recorded that the case pertains to two cross-FIRs between the applicant and the complainant. The Court also recorded that while the present FIR by the complainant is registered under Sections 74/3(5) of BNS, the applicant had also registered an FIR being FIR No. 89/2024 under Sections 110/3(5) of the BNS wherein the allegation was that the applicant was assaulted with sticks



by Ranbir (husband of the complainant) as a result of which the applicant suffered multiple fractures on the ribs and fell unconscious.

3. Considering the facts and circumstances, the Court on 14.08.2024 granted interim protection to the applicant.

4. Additional DCP Nishant Gupta, District: Dwarka is present in Court today. He need not appear in future.

5. As regards the inconsistency in the order of the learned Sessions Court placed on record and the one actually passed is concerned, it has been clarified by Mr Birendra Kumar Pandey, learned counsel that it was provided to him by the applicant and in fact there was a difference between the copy filed and the order passed by the learned Sessions Court.

6. A perusal of the order filed and the order passed shows that only the factual narration was different but otherwise the two orders were substantially the same.

7. The explanation is satisfactory and is accepted with a note of caution to the learned counsel to be more careful in future.

8. Mr Harshit Vashisht, learned counsel appears for the complainant and opposes the application, but at this stage he states that the parties are neighbours and should attempt to resolve not only the present dispute but also other disputes which are existing between the parties.

9. Let appropriate request be made in this regard before the Trial Court. For the present, what matters is that the applicant was granted interim protection after considering the entire gambit of the dispute, the petitioner has been on interim protection since 14.08.2024 and has duly participated and cooperated in the investigation.

10. Keeping in view the facts and circumstances of the present case, the



present application is allowed. It is directed that in the event of arrest, the applicant be released on bail subject to his furnishing a personal bond in the sum of Rs. 20,000/- with one surety of like amount to the satisfaction of the concerned Investigating Officer 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 inform the concerned Investigating Officer about his current residential address.
- (iii) In case of change of residential addresses/contact details, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (iv) The applicant shall join the investigation as and when asked.
- (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.

11. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present petition.

12. The application is disposed of in the above terms.

JASMEET SINGH, J

NOVEMBER 11, 2024

sr

[Click here to check corrigendum, if any](#)