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

+ **BAIL APPLN. 3007/2024**

RITIK KASANA @ GABBU

.....Petitioner

Through: Mr. Hirein Sharma, Mr. Saurabh
Goel, Mr. Vimal Tyagi, Mr. Balaji
Pathak, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP for State
and SI Imran Khan, PS NDR, Crime
Branch, New Delhi.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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25.09.2024

CRL.M.A. 25210/2024

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present Bail Application has been filed under Section 439 Cr.P.C. seeking release of applicant on bail in case FIR No. 99/2023 under Section 307/353/186/34 IPC and Section 25/27 Arms Act.
4. Briefly stating the case of the prosecution is that on 18.04.2023 on the basis of secret information the present petitioner along with co-accused Sachin and Prince @ PratyakshBadhana were intercepted. The accused persons allegedly tried to run away and fired upon the police party.



Allegedly, co-accused Sachin fired three rounds from his pistol on police. One round of the bullet hit the bullet proof jacket worn by SI Hemant. Co-accused Prince @ PratyakshBadhana had also allegedly fired one round on the police party. In return fire, HC Sanjay fired a shot which hit the accused Sachin on his right leg. Allegedly, one Pistol and two live rounds were recovered from the possession of accused Sachin.

5. Learned counsel for the petitioner submits that as per the case of prosecution the petitioner RitikKasana @ Gabbu had not fired upon the police party.
6. Learned APP for the State has opposed the bail application on the ground that the present petitioner is also one of the criminal and he was found in possession with one Desi Katta and one live cartridge. Learned APP also submitted that they all were travelling together and if the petitioner is released on bail he may repeat the offence.
7. The petitioner is in custody since 19.04.2023 and is around 21 years of age and there is one another involvement in case FIR No. 169/2022 under Section 120B/392/411 IPC registered at PS Niwadi, Gaziabad, UP.
8. Admittedly the petitioner has not fired upon the police party. The petitioner is also stated to be on bail in another case and since the petitioner is in custody since 19.04.2023 and is tender age of 21 years of age and the conduct of the petitioner is also satisfactory in jail.
9. In the circumstances, the petitioner is admitted to Regular Bail on furnishing a personal bond of Rs. 20,000/- with one surety of the like amount subject to the satisfaction of Ld. Trial Court subject to the



following conditions:

- a) the Petitioner shall cooperate in the investigation and appear before the Investigating Officer of the case as and when required;
 - b) the Petitioner shall under no circumstances leave India without prior permission of the Court concerned;
 - c) the Petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
 - d) the Petitioner shall provide his/her mobile number(s) to the Investigating Officer and keep it operational at all times;
 - e) In case of change of residential address and/or mobile number, the Petitioner shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit.
10. Copy of this order be sent to concerned Jail Superintendent.
 11. In view of the above, the present Bail Application along with pending applications, if any, stands disposed of.

DINESH KUMAR SHARMA, J

SEPTEMBER 25, 2024/AR/DG..