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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3067/2024**
SHUBHAM JHAPetitioner
Through: Mr. Shubham Singh, Mr. Rajat and
Mr. Saurabh Dahiya, Advs.

versus

STATE OF NCT OF DELHI & ANR.Respondents
Through: Ms. Meenakshi Dahiya, APP with
SI Rahul Kumar, PS: Adarsh Nagar.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **29.08.2024**

CRL.M.A. 25741/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

BAIL APPLN. 3067/2024

1. An application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioner for grant of regular bail in FIR No. 0224/2024, under Sections 392/394/397/34 IPC, registered at PS: Adarsh Nagar. Chargesheet has been filed under Sections 392/394/397/411/34 IPC and Sections 25/54/59 Arms Act.
2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.
3. In brief, as per the case of prosecution, present FIR was registered on complaint of Prince, who alleged that on 16.04.2024, two unknown persons, who boarded his cab (white Ertiga bearing No. HR-38 AE-2765), robbed his



cab on point of knife. The cab was subsequently traced and recovered from Gurgaon and accused were apprehended on the basis of identity paper left behind by one of the accused.

4. Learned counsel for petitioner submits that both accused, aged about 22/23 years, are residents of Punjab and had visited Delhi in search of job opportunities. It is pointed out that petitioner is in custody since 18.04.2024 and is no more required for purpose of investigation. Petitioner is further stated to be having clean past antecedents.

5. On the other hand, learned APP for the State opposes the application and submits that alleged knife, used in the offence, has been recovered at instance of petitioner. However, she confirms that there is no past involvement of the accused in any other offence.

6. Admittedly, petitioner is no more required for purpose of investigation and chargesheet has already been filed. The Ertiga cab has already been recovered from Gurgaon. It is also brought to the notice of this Court that petitioner has clean past antecedents. Considering the facts and circumstances, petitioner is admitted to bail on furnishing a personal bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount to the satisfaction of the learned trial court and subject to the following conditions:

- (i) Petitioner shall provide his mobile number to the Investigating Officer (IO) / SHO concerned at the time of release;
- (ii) In case of change of address, petitioner shall intimate / communicate his fresh address to the IO / SHO concerned as well as learned Trial Court;
- (iii) Petitioner shall deposit his Passport, if any, with the learned



Trial Court.

Application is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to the Superintendent Jail and learned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J.

AUGUST 29, 2024/R