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

+ **BAIL APPLN. 4293/2023**

SHRI DHARMENDRA SINGH

..... Petitioner

Through: Mr Ramesh Gupta, Sr. Advocate with
Mr Vijay Kumar, Mr Shailender
Singh and Ms Jyoti, Advocates.

versus

THE STATE N C T OF DELHI

..... Respondent

Through: Mr Ravhvinder Varma, APP for the
State with SI Naveen Yadav, PS
Sarita Vihar.

Mr M. Sameer Alam, Mr Tapish
Aggarwal and Mr Ajay Tiwari,
Advocates for complainant and
injured.

AND

15.

+ **BAIL APPLN. 4294/2023**

RAVINDER SINGH

..... Petitioner

Through: Mr Ramesh Gupta, Sr. Advocate with
Mr Vijay Kumar, Mr Shailender
Singh and Ms Jyoti, Advocates.

versus

THE STATE N C T OF DELHI

..... Respondent

Through: Mr Ravhvinder Varma, APP for the
State with SI Naveen Yadav, PS
Sarita Vihar.

Mr M. Sameer Alam, Mr Tapish
Aggarwal and Mr Ajay Tiwari,
Advocates for complainant and
injured.



CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
15.01.2024

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1. The present petitions have been filed seeking regular bail in connection with FIR No.0561/2023 under Section 307/34 IPC registered at PS Sarita Vihar.
2. The brief facts of the case are that on 30.10.2023, a quarrel took place between the complainant and the present petitioners/accused which escalated to the level of fight in which the complainant's father, namely, Gyan Kumar suffered head injury.
3. Learned senior counsel for the petitioners submits that even the accused party had suffered injuries which led to the registration of cross-FIR i.e., FIR No.0563/2023 under Sections 308/34 IPC.
4. The complainant/Deepak, as well as, injured Gyan Kumar, are present in the Court and they state that they have arrived at a settlement with the accused persons and they have no objection in case bail is granted to the petitioners.
5. Learned senior counsel for the petitioners also invites the attention of the Court to order dated 08.12.2023 passed in Bail Appln.4077/2023 (Annexure P-2), to contend that the third co-accused, namely, Mahendra Singh has already been granted bail by this Court. He, therefore, urges that the present petitioners be also enlarged on bail.
6. *Per contra*, learned APP for the State has argued on the lines of the status report. However, on a query posed by the Court, he on instructions from the IO, who is present in the Court, fairly states that the co-accused has already been enlarged on bail.



7. I have heard the learned senior counsel for petitioners, as well as, the learned APP for the State and have perused the material on record.

8. It is not in dispute that the parties have arrived at a settlement. The investigation is otherwise complete and, therefore, the custody of the petitioners is no more required.

9. It is not in dispute that the petitioners do not have any criminal record. It is also not the case of the prosecution that the petitioners are flight risk or there is possibility of their influencing the witnesses in case they are enlarged on bail.

10. Considering the aforesaid facts and circumstances and regard being had to the fact that one of the co-accused has already been enlarged on bail, I am of the view the petitioners are also entitled to grant of regular bail. Accordingly, the petitioners is admitted to regular bail subject to his furnishing a Personal Bond in the sum of Rs.25,000/- and one Surety Bond of the like amount to the satisfaction of the learned Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-

- a) Petitioners shall appear before the Court as and when the matter is taken up for hearing.
- b) Petitioners shall provide mobile number, as well as, their permanent addresses to the IO concerned. They shall keep their mobile in working condition at all times and shall not change the mobile numbers without prior intimation to the Investigating Officer concerned.
- c) Petitioners shall not indulge in any criminal activity and shall not communicate with or come in contact with the



victim/complainant or any family members of the victim/complainant.

11. The petitions are disposed of.
12. Copy of the order be forwarded to the Jail Superintendent for information and necessary compliance.
13. Order *dasti* under signatures of the Court Master.

VIKAS MAHAJAN, J

JANUARY 15, 2024
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