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

+ **BAIL APPLN. 3143/2024**

VASHI

.....Petitioner

Through: Mr.Siddharth Pandit, Mr.Vishwa
Prakash and Mr.Vipin Kumar, Advocates

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Laksh Khanna, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

20.11.2024

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1. By way of present application, the petitioner/applicant seeks regular bail in FIR No.4/2024 registered under Sections 302/201/147/149/34 IPC at P.S. Bindapur, Delhi.
2. Learned counsel for the applicant submits that the applicant, who is an unmarried lady and aged about 28 years, is in custody since 27.03.2024. He further submits that as per the case of the prosecution, neither the role of exhortation nor the role of causing injuries to the deceased has been attributed to the present applicant. He also submits that the applicant is not even visible in the CCTV footage. Moreover, it is stated that the chargesheet stands filed and on a reading of the statement of the witnesses, the only role attributed to the present applicant is of pulling the collar of one of the persons from the complainant's side.



3. Learned APP for the State has vehemently opposed the present bail application. He submits that the name of the applicant has surfaced in the statements of the witnesses and that the present case being that of unlawful assembly, the presence of the applicant is stated by 8 witnesses. He further submits that the presence of the applicant is also verified by the CCTV footage seized from the spot. Moreover, he contends that the witnesses have stated that all the accused persons were extending threats to the complainant's side. He, however, submits that the applicant's role is confined to the pulling the collar of one *Rahul @ Chintu*.

4. I have heard learned counsel for the applicant as well as the learned APP for the State and have also gone through the material placed on record.

5. The applicant is a woman of about 28 years of age and her only role, other than being present at the spot and being a part of the unlawful assembly, is pulling the collar of one of the persons on the complainant's side. There are no allegations that she had taken part in the assault or causing any injuries to the deceased, though generic allegations were levelled that all the accused persons had extended threats and caused injuries.

6. Considering the aforesaid peculiar facts and circumstances of the case, including the fact that the applicant is a woman, it is directed that the applicant be released on regular bail, subject to her furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/ concerned Court/Duty J.M./Link J.M. and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.



- ii) The applicant shall provide her mobile number to the Investigating Officer on which she will remain available during the pendency of the trial.
 - iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
 - iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
 - v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.
- 7. The bail application is disposed of in the above terms.
 - 8. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.
 - 9. Copy of the order be uploaded on the website forthwith.
 - 10. 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 bail application.

MANOJ KUMAR OHRI, J

NOVEMBER 20, 2024

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