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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3225/2024**

HAIRAN @ KALEEM

.....Petitioner

Through: Mr. Sarthak Tomar, Advocate

Versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: Ms. Manjeet Arya, APP for the State
with SI Nagendra Singh, P.S:
Mahendra Park, Delhi.
Mr. Ashok Drall, Ms. Aashi Drall, and
Mr. Chirag Kumar, Advocates
(through VC)

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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06.09.2024

CRL.M.A. 26875/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

BAIL APPLN. 3225/2024

1. An application under Section 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for grant of regular bail in FIR No. 182/2024, under Sections 323/341/354/34 IPC, registered at PS: Mahendra Park. Chargesheet has been filed under Sections 307/148/149/506 IPC.
2. Issue notice. Learned APP for the State alongwith counsel for the complainant appear on advance notice and accept notice



3. Learned counsel for the petitioner submits that five co-accused were admitted to anticipatory bail vide order dated 12.08.2024 passed by this Court and another co-accused Afsana was granted anticipatory bail passed by learned Sessions Court vide order dated 15.06.2024. He further submits that petitioner is in custody since 25.07.2024 and the role assigned to the petitioner is at parity with co-accused.

4. Learned APP for the State fairly confirms that the role assigned to the petitioner is at parity with co-accused. However, learned counsel for the complainant opposes the application on the ground that petitioner had exhorted co-accused Ansar who inflicted injury to victim, and is presently in custody.

5. Admittedly, petitioner is in custody since 25.07.2024 and is no more required for the purpose of investigation since chargesheet has already been filed. The injured has already been discharged from Hospital. Considering the totality of facts and circumstances and taking into account the role of exhortation only attributed to the petitioner, he 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 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 not influence the witnesses.



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

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

ANOOP KUMAR MENDIRATTA, J.

SEPTEMBER 6, 2024/PU