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

+ **BAIL APPLN. 3323/2024**

ARJUN

.....Petitioner

Through: Mr. G.S. Sharma, Mr. V.K. Sharma,
Mr. R.A. Sharma and Mr. Arvind
Nagar, Advocates

versus

STATE (GNCT OF DELHI) THROUGH SHORespondent

Through: Mr. Raghuinder Verma, APP for
State with SI Deepak Tanwar

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

05.11.2024

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1. The instant application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS") has been filed on behalf of the applicant/petitioner for the grant of regular bail in the case arising out of FIR bearing no. 217/2024 for the offence punishable under Section 109(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter as the "BNS").

2. Learned counsel appearing on behalf of the applicant submitted that the applicant is an innocent person and has been falsely implicated in the instant case.

3. It is submitted that the applicant has not inflicted any injuries on the complainant, as alleged in the aforesaid FIR, and in fact, the applicant himself suffered serious injuries on various parts of his body, which were



not taken into consideration by the Investigating Officer.

4. It is submitted that the applicant was apprehended on 1st August, 2024 and has been in judicial custody since 3rd August, 2024. Moreover, it is submitted that the applicant has not committed any offence previously and has clean antecedents.

5. It is submitted that the investigation in the instant matter has been completed and hence, further custodial interrogation of the applicant is required.

6. On instructions, the learned counsel for the applicant submitted that the applicant undertakes to abide by any condition imposed by this Court while granting regular bail.

7. It is also submitted that the address of the applicant has already been verified by the State and was found to be correct and true and therefore, it is prayed that the applicant may be released on regular bail.

8. *Per Contra*, Mr. Raghuinder Verma, learned APP for State has vehemently opposed the instant application submitting to the effect that the applicant has committed a heinous offence of inflicting injuries to four persons by using a pen knife.

9. It is submitted that the investigation in the instant case is still in progress and yet to be completed. Moreover, if the applicant is released on bail, there is a strong possibility that he may infringe the bail conditions and try to influence and threaten the witnesses.

10. Therefore, in light of the foregoing submissions, it is prayed that the instant application may be dismissed.

11. Heard learned counsel for the parties and perused the record.

12. Upon perusal of the contents made in the application, aforesaid FIR



and the status report filed by the State, it is observed that the applicant has been languishing in judicial custody since 3rd August, 2024 and the address given by the applicant has also been verified by the State and found to be correct. Moreover, it is taken into consideration the undertaking given by the applicant that he will abide by all the conditions imposed upon him by this Court while granting him bail.

13. Keeping in view the submissions advanced by the learned counsel for the parties, undertaking given by the applicant and the period for which he has already been in judicial custody, this Court is inclined to grant the regular bail to the applicant.

14. Accordingly, it is directed that the applicant be released on bail on his furnishing personal bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand only) with two solvent sureties of the like amount to the satisfaction of the Jail Superintendent/Court concerned subject to the following conditions –

- (a) The applicant shall under no circumstances leave India without prior permission of the Court concerned;
- (b) The applicant shall appear before the Court concerned as and when required;
- (c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, and shall not destroy or tamper with the evidence of this case;
- (d) The applicant shall provide his mobile number(s) and keep it operational at all times;
- (e) The applicant shall not indulge in any criminal activities or commission of any offence of whatsoever



nature and he shall not abuse the bail granted to him for any purposes;

(f) in case of change of residential address and/or mobile number, the same shall be intimated to the Court concerned by way of an affidavit; and

(g) The applicant shall remain present before the jurisdictional police station on the 15th day of every calendar month.

15. In view of the aforesaid terms, the instant application stands disposed of.

16. Pending applications, if any, stands dismissed.

17. It is made clear that the observations made herein, touching upon the merits of the case, are purely for the purpose of deciding the question of granting of regular bail, which shall not be construed as an expression of final observations of the instant case.

18. Copy of this order be sent to Jail Superintendent for compliance.

CHANDRA DHARI SINGH, J

NOVEMBER 5, 2024

r/mk

Click here to check corrigendum, if any