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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 3358/2024**

UWESH

.....Applicant  
Through: Mr. Vijay Kingen, Mr.  
Ashwani Gehlot & Ms.  
Roopa Nagpal, Advs.

versus

STATE GOVT. OF NCT OF  
DELHI

.....Respondent  
Through: Mr. Ajay Vikram Singh,  
APP for the State  
ASI Ravinder & SI Akash  
Kumar, PS- Bhajanpura

**CORAM:**  
**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**ORDER**  
**07.10.2024**

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**CRL.M.A. 28119/2024 (for exemption)**

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

**BAIL APPLN. 3358/2024**

3. The present application is filed seeking regular bail in FIR No. 477/2024 dated 31.07.2024 registered at Police Station Bhajan Pura for offences under Sections 309(4)/311/3(5) of the Bharatiya Nyaya Sanhita, 2023.
4. The FIR was registered on an allegation that the applicant and the co-accused, Deepanshu, showed knife to the complainant and looted his mobile phone.
5. It is alleged that the accused persons then told the complainant to give them ₹1200/- *in lieu* of the phone.
6. The applicant was, thereafter, apprehended, however, the



other co-accused person ran away who was also, thereafter, arrested on 02.08.2024.

7. The applicant was arrested on 31.07.2024 and is in custody since then.

8. The learned counsel for the applicant submits that the applicant has been falsely implicated in the present case.

9. He submits that no recovery has been affected either of the mobile phone or the alleged knife which was allegedly shown to the complainant.

10. He submits that the prosecution story, on the face of it, appears doubtful.

11. The applicant is stated to be belonging to a poor strata of society and is only 22 years of age, having no antecedents.

12. Keeping a young man of this age in jail would only do more harm than any good.

13. It is seen that the investigation is already complete and the chargesheet has also been filed.

14. The object of jail is to secure the appearance of the accused during the trial. The object is neither punitive nor preventive and the deprivation of liberty has been considered as a punishment without the guilt being proved.

15. The applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹20,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;



- b. The applicants shall under no circumstance leave the boundaries of Delhi without informing the concerned IO;
- c. The applicant shall appear before the learned Trial Court on every date;
- d. The applicant shall, after his release, appear before the concerned Investigating Officer once in every week;
- e. The applicant shall provide the address where he would be residing after his release to the concerned IO/SHO and shall not change the address without informing the concerned IO/ SHO;
- f. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

16. In the event of there being any FIR/DD entry / complaint lodged against the applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

17. The bail application is allowed in the aforementioned terms.

**AMIT MAHAJAN, J**

**OCTOBER 7, 2024**

**“SS”**