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

+ **BAIL APPLN. 3554/2024**  
**RAM DHARSH SINGH**

.....Petitioner

Through: Mr. Amit Ranjan Adv. & Arvind  
Kumar Adv. Ms. Astitva Srivastava,  
Advvs.

versus

**THE STATE NCT OF DELHI**

.....Respondent

Through: Mr. Amit Ahlawat, APP for the State  
along with Ms. Babita Ahlawat,  
Advocate with Insp. Parmod, PS:  
KNK Marg.

**CORAM:**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

**02.12.2024**

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1. This application has been filed seeking regular bail in FIR no. 64/2024 dated 10<sup>th</sup> February 2024 under Sections 302 IPC registered at Police Station K.N. Katju Marg, Delhi. Chargesheet was filed under Section 302/34 IPC on 06<sup>th</sup> May 2024.
2. As per the Nominal Roll, the petitioner has been in custody for about a year. Petitioner has no previous involvements and his jail conduct has been satisfactory.
3. The case of the prosecution is based on an information received on 10<sup>th</sup> February, 2024, at 10:48 a.m. stating that a dead body of a man is lying in the street. The police team reached the place which was in Shahbad Daulatpur, Delhi and found that a dead body of person about 20 to 25 years in age,



wearing a grey sweater and black lower and one sock in right leg, was lying.

4. Injury mark/blood stains were present on the neck and the mouth. There were beating marks on the back and the buttocks. One long rope was tied to the street light pole near the dead body and one bamboo stick was also lying nearby. Crime team inspected and photographed the crime team; later the body was taken for *postmortem* examination. The *postmortem* report records that ‘*no definitive opinion regarding time since death can be provided*’.

5. Three people were arrested on the basis of CCTV footage namely Pramod, Nagender Prasad Yadav, and Ram Darash Singh (*petitioner*).

6. The CCTV footage, at about 04:00 a.m., supposedly shows Pramod holding the hair of the deceased and assaulting him, whereas according to the case of the prosecution, the petitioner was not present at that time. The CCTV footage of 7:30 a.m. shows petitioner walking up to the person lying on the street seemingly in a critical condition and holding up the tyre of the vehicle and then moving away. As per the prosecution, he had administered beatings to the deceased who was lying on the streets.

7. Counsel for petitioner states that petitioner used to ply transport vehicle which he parked in a particular *gali*. Petitioner is a resident of Azad Market, Chandni Chowk which is 22 KM away from Daulatpur and he had received a call from Pramod at 04:30 -5:00 a.m. that someone was stealing ECMs from his vehicle which was parked in Daulatpur.

8. Petitioner, apparently, went there at about 07:30 a.m. and found the deceased already lying on the road and the deceased was tied with the rope which he untied. Therefore, he states that he had nothing to do with the incident and only went subsequently.



9. The testimonies are yet to be recorded. Counsel for petitioner states that he is merely a transporter and was not involved in the incident which clearly happened in the middle of the night, when possibly, he was beaten up by the people who were present there.

10. In these circumstances, the Court is of the opinion that there will be no purpose of keeping the petitioner in custody, the trial will take its own time, chargesheet is already filed, charges are yet to be framed, as also on the basis of period of incarceration of petitioner, the fact that he has no previous involvement, and taking into consideration the submission of the petitioner in particular based on the CCTV footage.

11. In light of the above, and that the trial in the matter is likely to take some time, and it would not be prudent to keep the petitioner behind bars for an indefinite period, this Court finds it to be a fit case for grant of bail to the petitioner. Consequently, the petitioner is directed to be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount subject to the satisfaction of the Trial Court, further subject to the following conditions:

- i. Petitioner will not leave the country without prior permission of the Court.
- ii. Petitioner shall provide permanent address to the Trial Court. The petitioner shall intimate the Court by way of an affidavit and to the IO regarding any change in residential address.
- iii. Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- iv. Petitioner shall join investigation as and when called by the IO concerned.



- v. Petitioner shall provide all mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the IO concerned.
  - vi. Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the prosecution witnesses, the complainant/victim or any member of the complainant/victim's family or tamper with the evidence of the case.
12. Needless to state, but any observation touching the merits of the case is purely for the purposes of deciding the question of grant of bail and shall not be construed as an expression on merits of the matter.
13. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.
14. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
15. *Dasti.*
16. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**DECEMBER 2, 2024/RK/sc**