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

+ **BAIL APPLN. 3556/2024**

RUPESH

.....Petitioner/Applicant

Through: **Mr. Gaurav Kochar, Adv.**

Versus

THE STATE (GOVT OF NCT OF DELHI)Respondent

Through: **Ms. Meenakshi Dahiya, APP, SI
Hemant Kr., PS Jafrabad**

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

12.11.2024

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1. This is a petition filed under section 483 read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking grant of regular bail to the petitioner in F.I.R No. 113/2024 registered at P.S. Jafrabad under sections 394/397/308/34 IPC, 1860 on 02.04.2024.
2. Briefly stating the facts as per the FIR is that the applicant along with two other co-accused persons had started beating the complainant which resulted in the complainant suffering some injuries. One of the co-accused has also hit the complainant with a brick. The role attributed to the applicant is that the applicant had given a leg blow to the complainant.
3. My attention has been drawn to the MLC report and the same shows that the nature of injury suffered by the complainant is simple.
4. In the present case, the applicant has been in custody since 05.04.2024 and the investigation has also been completed. In addition, the chargesheet has also been filed.
5. It is stated that the applicant is the only earning member of his family



and has a widow mother to take care of.

6. For the aforesaid reasons, I am of the view that the applicant needs to be released on bail on the following terms and conditions:

- i. The applicant shall furnish a personal bond and a surety bond in the sum of Rs. 10,000/- each to the satisfaction of the concerned Trial Court.
- ii. The applicant shall appear before the Court as and when the matter is taken up for hearing;
- iii. The applicant shall join investigation as and when called by the I.O concerned;
- iv. The applicant shall provide his mobile number to the Investigating Officer (IO) concerned, which shall be kept in working condition at all times. The applicant shall not switch off, or change the same without prior intimation to the IO concerned, during the period of bail;
- v. In case the applicant changes his residential address, he will inform the IO concerned;
- vi. The applicant shall not leave the country during the bail period and surrender his passport, if any, at the time of release before the I.O. concerned;
- vii. The applicant shall not indulge in any criminal activity during the bail period;
- viii. The applicant shall not communicate with, or come into contact with any of the witnesses and also the complainant as the complainant and the applicant are staying in the same locality.

7. 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 petition.

8. The present petition is disposed of
9. Dasti.

JASMEET SINGH, J

NOVEMBER 12, 2024/sp

Click here to check corrigendum, if any