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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3688/2024**
SONUPetitioner

Through: Mr. D. S. Sharma and Mr. Kalash
Pandey, Advocate

versus

STATE GOVT. OF NCT OF DELHIRespondent
Through: Ms. Manjeet Arya, APP for State
with SI Paramjeet and ASI Vijay,
PS: Ranhola.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

% **ORDER**
09.10.2024

CRL.M.A. 30685/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

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1. An application under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of petitioner for grant of regular bail in FIR No. 0151/2013, under Section 302 IPC, registered at PS: Ranhola. Chargesheet has been filed under Sections 302/397/411/34 IPC.
2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.
3. In brief, as per the case of the prosecution, on 08.06.2013, a PCR call

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received vide DD No. 60B at PS: Ranhola was marked to SI Ranvir Singh for investigation. On reaching the spot, i.e. H. No. A-74, Gali No. 1, Tilak Enclave, Mohan Garden, Uttam Nagar, Delhi, a person namely Guudu Kumar Yadav, aged about 15-16 years, was found dead. The legs of deceased were tied with a bedsheet and a black coloured piece of cloth was found around neck. As per post-mortem report, the cause of death was Asphyxia, as a result of strangulation. Petitioner was arrested during course of investigation on 13.06.2013.

4. Learned counsel for petitioner submits that petitioner is in custody for a period of about 11 years and the case is not supported by connecting evidence.

5. On the other hand, learned APP for State vehemently opposes the application and points out that petitioner was a tenant in the same premises and disappeared immediately after the incident. Further, petitioner along with one Amit was apprehended after the incident. During course of investigation, cash along with jewellery belonging to the parents of the deceased was recovered at instance of petitioner. Also, mobile along with cash was recovered at instance of co-accused Amit.

6. Admittedly, the disappearance of petitioner immediately after the incident and recovery made at his instance connect the petitioner with alleged commission of offence.

Considering the facts and circumstances of the case, heinous nature of offence, no grounds for bail are made out. However, since the trial is stated to be pending since 2013 and is at the fag end, learned Trial Court is directed to make an endeavour to conclude the trial preferably within a period of four months from the next date of hearing fixed before the Trial Court.

Application is accordingly dismissed. Pending applications, if any, also



stand disposed of.

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

ANOOP KUMAR MENDIRATTA, J.

OCTOBER 09, 2024/R