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

+ **BAIL APPLN. 3858/2024**

ADITYA

.....Applicant

Through: Mr. Aditya Raj Singh and
Ms. Nisha Hans, Advs.

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Manoj Pant, APP for
the State with SI Arvind
Kumar, PS Mandir Marg.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **18.11.2024**

1. The present application is filed seeking regular bail in FIR No. 146/2023 dated 14.10.2023, registered at Police Station Mandir Marg, for offence under Sections 394/34 of the Indian Penal Code, 1860.

2. The FIR was registered on a complaint alleging that on 14.10.2023, the complainant and his friend while travelling by motorcycle to Connaught Place, were assaulted and robbed by the accused persons including the applicant.

3. This Court, by order dated 24.10.2024 in BAIL APPLN. 1498/2024 and BAIL APPLN. 2581/2024, admitted the co-accused persons on bail noting that the CCTV footage does not show the incident of snatching of the bag of the complainant or any scuffle between the complainant and the accused persons.

4. The allegation is that the CCTV footage shows one of the accused persons carrying bag on his shoulder, which is claimed

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to be belonging to the complainant.

5. This Court observed that whether the accused were present at the scene of crime and had committed the crime or whether the bag which was allegedly seen on the shoulder of the accused in the CCTV footage was the same bag as recovered on a disclosure statement of the accused, would be tested during the course of trial and could not be presumed with the certainty at this stage.

6. This Court also noted that the co-accused persons were young men aged 21 and 27 years respectively, having clean antecedents.

7. The applicant is also stated to be 21 years of age having clean antecedents.

8. The applicant is in custody since 15.10.2023.

9. The applicant, in the opinion of this Court, is entitled to be admitted on bail on the ground of parity.

10. In view of the above, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹25,000/- with two sureties 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 applicant shall under no circumstance leave the country without the permission of the learned Trial Court;
- c. The applicant shall appear before the learned



Trial Court as and when directed;

- d. The applicant shall provide the address where he shall reside upon his release, and shall not change the address without informing the concerned IO/ SHO;
- e. 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.

11. 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.

12. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the Trial and also not be taken as an expression of opinion on the merits of the case.

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

AMIT MAHAJAN, J

NOVEMBER 18, 2024

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