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

+ **BAIL APPLN. 3927/2024**

SAURABH

.....Applicant

Through: **Mr. Virendra Singh, Adv.**

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: **Mr. Manoj Pant, APP for
the State with SI Shankar,
P.S. Swaroop Nagar.**

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

23.12.2024

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1. The present application is filed seeking regular bail in FIR No. 530/2023 dated 07.08.2023, registered at Police Station Swaroop Nagar for the offence under Section 307 of the Indian Penal Code, 1860.

2. The FIR was registered on a complaint given by Harpreet Singh. It is alleged that on 06.08.2023 when the complainant was walking near his house at about 8:45 PM, he spotted his friend Arpit talking with the applicant. It is alleged that thereafter when the complainant approached them, the applicant started abusing him. Thereafter, it is alleged that when the complainant opposed to such behaviour, the applicant took out a knife and stabbed the complainant on his back.

3. The alleged incident led to injuries to two persons being PW-1 and PW-2. PW1 in his deposition stated that the stab injuries were caused by the applicant, whereas PW2 in his deposition before the learned Trial Court stated that the stab injuries were caused by another person namely Akash. There is

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an apparent contradiction in the evidence of the prime witnesses. The allegations against the applicant would be tested after the entire evidence is led. The benefit of contradiction as noted cannot be denied at the time of considering application of bail.

4. The applicant is in custody since 07.08.2023. The conduct of the applicant in custody is also stated to be satisfactory. Substantial number of witnesses are yet to be examined. The trial thus is not likely to be concluded in near future.

5. The applicant is, therefore, directed to be released on bail on furnishing a personal bond for a sum of ₹25,000/- 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 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 would be residing after 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.



6. 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.
7. 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.
8. The bail application is allowed in the aforementioned terms.

AMIT MAHAJAN, J

DECEMBER 23, 2024

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