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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3962/2024**

SHISH PAL

.....Petitioner

Through: **Mr. Pankaj Kumar Gupta, Advocate.**

versus

STATE GOVT. OF NCT OF DELHI.

.....Respondent

Through: **Mr. Shoaib Haider, APP for State
with SI Arvind Kumar, P.S. Sangam
Vihar.**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

27.11.2024

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1. By way of present bail application, the applicant seeks regular bail in FIR No. 98/2023 registered under Sections 307/506/34 IPC at P.S. Sangam Vihar, Delhi.
2. Learned counsel for the applicant submits that applicant is in custody since 24.01.2023 and after filing of the charge-sheet the injured/complainant has been examined who has not supported the case of the prosecution against the present applicant. In this regard, it is further submitted that while in the FIR, it has been stated by the complainant that injuries were inflicted by the present applicant however, in his testimony the said role has been attributed to the co-accused *Sunil Pal*. Lastly, it is stated that applicant is not involved in any other case and out of a total of 14 witnesses only 5 witnesses have been examined so far.
3. Bail application is opposed by the Ld. APP for the State by stating that in his initial statement, the injured specifically spelt out the role of the



applicant. He, on instructions, however confirms that the applicant is not found involved in any other case.

4. I have heard the learned counsel for the parties and gone through the records available.

5. The testimony of the injured/complainant is placed on record a reading of which would show that in his testimony, he stated that at the time of registration of FIR he was not aware of the names of the accused persons. However, during his deposition in Court, he categorically attributed the role of inflicting the knife injuries to the co-accused *Sunil Pal*. He was even cross-examined by the prosecutor on this aspect in which he denied the suggestion that injuries were caused by the present applicant.

6. Considering the aforesaid facts and circumstances, this Court deems it fit to release the applicant on regular bail subject to him furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty J.M.F.C/Link JMFC and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.



v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

7. The bail application is disposed of in the above terms.

8. Let a copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

9. Needless to state that the observations made hereinabove are only for the purpose of disposal of the present bail application and which shall not have a bearing on the trial of the case.

MANOJ KUMAR OHRI, J

NOVEMBER 27, 2024/ga