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

+ **BAIL APPLN. 4041/2024**

ARYAN RAJVANSH

.....Petitioner

Through: Mr.Sumanto De, Mr.MK Singh, Mr.NK
Goyal, Mr.CM Dwivedi and Mr.Ikshit Singhal,
Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr.Laksh Khanna, APP for State with
SI Suraj

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

05.12.2024

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1. By way of the present application, the petitioner/applicant seeks regular bail in FIR No.195/2024 registered under Sections 394/397/411 IPC read with Sections 25/27, Arms Act at P.S. Amar Colony, Delhi.
2. Learned counsel for the applicant submits that the applicant is in custody since 24.06.2024, the chargesheet having been filed and the charges having been framed, the applicant is no longer required to be kept in custody. He further submits that as per the complainant's case, he was robbed of Rs.3,500/- and a mobile phone whereas, the applicant himself had filled up petrol of Rs.1,300/- in the complainant's car. He submits that it was instead the complainant, who was having a gun in the car when the alleged scuffle broke out.
3. Learned APP for the State has opposed the bail application. He submits that the complainant is an Ola cab driver and the applicant had booked a cab from Dwarka Mod Metro Station to ISBT Kashmiri Gate. It is stated that instead of ISBT Kashmiri Gate, the applicant forced the



complainant to go to various places including Akshardham, Mayur Vihar and DND Flyover. On the way, the cab was also stopped at a petrol pump for filling up the petrol. The CCTV footage from the petrol pump has also been seized and an analysis of the same would show that the moment the cab stopped at the petrol pump, the complainant is seen running away and the applicant can be seen firing a gunshot in the direction of the complainant. Even an empty cartridge has been recovered from the spot. He further submits that now the charge has also been framed under Section 307 IPC. Further, the applicant also stands identified in the TIP proceedings.

4. I have heard learned counsel for the applicant as well as learned APP for the State and have also gone through the material placed on record. A perusal of the records would show that the incident had taken place on the intervening night of 22/23.06.2024. The allegations levelled in the complaint are supported by the CCTV footage where as per the submissions of the learned APP, shows that the applicant had fired in the direction of the complainant. The applicant robbed the mobile phone of the complainant. In fact, applicant's mobile was found in the very same cab proving his presence. The applicant also stands identified in the TIP proceedings. The gun used in the incident has also been recovered near a metro pillar, *Akshardham*.

5. Considering the totality of facts and circumstances and the gravity of the offences involved in the present case, I find no ground to entertain the present application. Accordingly, the same is dismissed.

MANOJ KUMAR OHRI, J

DECEMBER 5, 2024

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