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

+ **BAIL APPLN. 4197/2024**

BHIM SINGH @ PAMMU

.....Petitioner

Through: Mr. Anuj Aggarwall, Mr. Abhishek
Gupta and Mr. Vineet Kumar Jain,
Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastava, APP for the
State.
SI Naresh Kr. Sharma, P.S.:
Shahdara.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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19.11.2024

CRL.M.A. 34502/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

BAIL APPLN. 4197/2024

By way of the present petition filed under section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks anticipatory bail in case FIR No.378/2024 dated 02.09.2024 registered under sections 309(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023 at P.S.: Shahdara, Delhi.

2. Mr. Anuj Aggarwall, learned counsel for the petitioner submits that *vide* order dated 22.10.2024, the learned Sessions Court had granted to the petitioner interim protection subject to his joining and co-operating in the investigation; however, thereafter *vide* order dated



05.11.2024 the learned Sessions Court has dismissed the anticipatory bail application in view of the nature of the allegations and gravity of the offence.

3. Counsel argues that in the reply filed by the Investigating Officer ('I.O.') to the anticipatory bail application before the learned Sessions Court, the only allegation against the petitioner is that during the course of interrogation he has disclosed the name of co-accused persons, viz. Gulshan @ Gullu and Deepak; and that the bangles and gold ring that were robbed from the complainant were with Gulshan @ Gullu, who sold them and gave him Rs.1,200/- and nothing further.
4. Counsel also points-out that in the reply the I.O. has also said that the role of the petitioner in the case was that he was watching over his so-called accomplices and had also arranged a three-wheeler for them.
5. Issue notice.
6. Mr. Tarang Srivastava, learned APP appears for the State on advance copy; accepts notice; and, on instructions of the I.O., who is present in court, submits that custodial interrogation of the petitioner is required since the particulars of the co-accused persons are known to the petitioner and the I.O. needs to trace and arrest the co-accused persons, who have robbed a lady at a cloth shop in East Rohtash Nagar, Shahdara, when a certain person approached her pretending to beg for money for food, whereafter she was led into a lane and robbed.
7. Furthermore, the learned APP points-out, that as recorded in order dated 05.11.2024, according to the I.O., the petitioner is clearly



visible committing the offence alongwith the co-accused persons in the CCTV-footage of the area that has been seized by them.

8. In the circumstances of the case; considering the nature of the offence and the brazen manner in which it is alleged to have been committed in a public place, this court is not inclined to grant to the petitioner any relief in the present petition by way of anticipatory bail.
9. The petition is accordingly dismissed.
10. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 19, 2024/ak