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

+ **BAIL APPLN. 4244/2024 & CRL.M.A. 34791/2024**

RUPESH SINGH @ VIVEK SINGH

.....Petitioner

Through: Mr.I.C.Mishra and Dr.Balmiki
Prasad, Advocates

versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Ms.Kiran Bairwa, APP for the State
alongwith SI Shamsheer Singh, P.S.-
Pul Prahlad Pur
Mr.Kamal Deep, Advocate for
complainant alongwith complainant

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

13.12.2024

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1. The instant bail application under Section 483(1) read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the applicant seeking regular bail in FIR bearing No. 0339/2024 registered at Police Station Pul Prahlad Pur for offences punishable under Sections 110/3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. The facts of the case are briefly as follows: The petitioner and the complainant are relatives and neighbours, involved in a property dispute concerning 200 square yards with only one passage. It was alleged that on 01.11.2024, at approximately 10:20 P.M., the petitioner, along with other family members, started quarrelling with



the complainant, prompting her to call her sister Lavya and brother-in-law Rahul. Subsequently, Shamsheer Singh, Rahul's father, also arrived at the scene. It was further alleged that Arjun Singh, his wife Manorama, and their sons Vivek Chauhan and Vikas Chauhan went to their rooftop and began pelting bricks and stones, causing injuries to Lavya, Rahul, and Shamsheer Singh.

3. Learned counsel for the applicant submits that Lavya, Rahul, and Shamsheer Singh were, in fact, the aggressors who arrived at the spot. It is argued that the ongoing property dispute has been mischaracterized as a criminal case. It is further submitted that the petitioner has been in custody since 02.11.2024 and seeks bail, insisting that the injuries sustained are simple in nature.
4. Learned APP for the State and learned counsel for the complainant has vehemently opposed the bail application.
5. Learned APP for the State submits that the injured Lavya has suffered serious injuries. In support of this, photographs showing the injuries sustained by the victims have been presented.
6. This Court has considered the submissions made.
7. The MLC reveals that, except for Lavya, all other individuals sustained minor injuries. The case record indicates that the matter arises from a property dispute. The applicant has been in custody since 02.11.2024. It is also observed that despite two prior hearing dates, the State has failed to submit the status report. However, during the arguments, a copy of the status report was placed before the Court.
8. Let this status report be brought on record.



9. In view of the facts and circumstances, the applicant is admitted to regular bail on furnishing a personal bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of concerned learned Trial Court, subject to the verification of address and mobile number to be given and subject to the following further conditions:

- a. the petitioner shall regularly appear before the IO/trial court as and when directed;
- b. the petitioner shall not directly or indirectly make any inducement, threat, intimidate or tamper with any person acquainted with the facts of the case;
- c. the petitioner shall remain available on the address, to be given to the IO and shall not leave the country without the permission of the learned Trial Court;
- d. In case of change of residential address and/or mobile number, the petitioner shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit.

10. In view of the above, the instant application stands disposed of.

11. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.

DINESH KUMAR SHARMA, J

DECEMBER 13, 2024

Dy/na..