



CRM-M-49166-2022

Renu (in CRM-M-12083-2022), who is a lady and is attributed a 'lalkara' only and has already joined investigation and is not required for any custodial interrogation, deserves to be granted anticipatory bail. The petition i.e. CRM-M-12083-2022 on behalf of petitioner Renu, as such, is accepted and the interim directions issued by this Court vide order dated 23.3.2022 (in CRM-M-12083-2022) are hereby made absolute, subject to the condition that the petitioner-Renu shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

10. As far as the petitioners Amit Gora and Rahul are concerned, it is no doubt correct that they are specifically named in the FIR and are also alleged to have inflicted injuries with the help of sticks. The factum of injuries on the person of the complainant is substantiated from the medical record, which shows that as many as 9 injuries were sustained by him including 2 grievous injuries, which are on the legs. During the course of arguments, while learned State counsel has informed that the aforesaid petitioners are involved in 4 more cases, but a perusal of para No.5 of the reply would indicate that while two of the FIRs already stand cancelled, one FIR has been consigned being untraced.

x x x x

14. Since learned State counsel informed that the petitioner Amit Gora (in CRM-M-12811-2022) and petitioner Rahul (in CRM-M-15584-2022) have otherwise been behind bars since the last about 9 months, this Court is of the opinion that, further detention of the petitioners Amit Gora and Rahul will not serve any useful purpose as conclusion of trial is likely to consume time. The petitions i.e. CRM-M-12811-2022 and CRM-M-15584-2022 on behalf of petitioners Amit Gora and Rahul, respectively, as such, are accepted and the petitioners Amit Gora and Rahul are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned."

3. Petitioner's counsel seeks cancellation of bail on the grounds that despite considering serious nature of allegations it was not justifiable for the Court to grant them bail.



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4. Counsel for the respondent(s)-accused submits that the bail may not be cancelled and this Court may impose any stringent conditions in addition to the conditions imposed by the trial Court. He further submits that accused never violated any condition as imposed by the trial Court. The accused's counsel submits that the accused would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the accused/respondent(s) repeat the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, , the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the accused shall have no objection.

5. In the facts and circumstances peculiar to this case, and for the above reasons, no grounds exist to cancel the bail. However, this Court is inclined to add additional condition in the said order dated 05.09.2022 and respondents No. 2 to 4 to comply the said condition as mentioned below:-

(i) Respondents No.2 to 4 shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority within ten days of release from prison and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the accused shall be entitled to renew and take it back in case of acquittal in this case.

6. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

Petition dismissed in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

02.09.2025
anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.