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

% ***Date of decision: 30th January, 2025***

+ **BAIL APPLN. 404/2025 & CrI.M.A. 2844/2025**

SONU

.....Petitioner

Through: Mr. R.S. Bind, Advocate

Versus

STATE

.....Respondent

Through: Ms. Meenakshi Dahiya, Additional
Public Prosecutor for Respondent-
State

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. The present Application under Section 483 of *Bhartiya Nagrik Suraksha Sanhita, 2023* / under Section 439 of the Code of Criminal Procedure, has been filed by the Applicant seeking bail in **FIR No. 0393/2024, under Section 307/34**, registered at Police Station Dabri, Delhi.

2. It is submitted that as per the case of prosecution, accused Rohit Kumar had taken loan of Rs.5,000/- from the Complainant and on account of his failing to pay back the amount, a quarrel had taken place. On 23.06.2024, i.e the date of incident injured Mr. Rohit received a call from one Sonu (the Applicant), who stated that the injured had assaulted the accused and called him near the shop of Ram Kumar. At about 04:00 PM,



when injured was going with his friend Shakeel and reached *Gali* No. 79, Applicant, along with co-accused Monu, Manish and Ankit, inflicted injuries on the vital part of the Complainant by screw drivers and other tools.

3. The Applicant has sought bail on the *grounds* that he has been falsely implicated in this case. The Complainant has an old enmity with him and there are various other cases under Section 302 IPC and Section 307 IPC, pending against the Complainant. In fact the Complainant along with other assailants had attacked the Applicant and he had sustained multiple injuries on his body. The allegations made by the Complainant are not only false and frivolous but have no iota of truth in the accusation.

4. No recovery of any kind of weapon has been affected from the Applicant. He undertakes to join the investigation as and when required and as directed by the Court. He is a young boy of 22 years of age and a permanent resident of Delhi. There is no chance of his fleeing from justice. He undertakes to abide by any conditions that may be imposed upon him.

5. The **learned Public Prosecutor** who has appeared on advance Notice, has vehemently objected to the Bail Application on the ground that the incident took place on 23.06.2024 but the Applicant evaded his arrest and he finally surrendered only on 28.11.2024, after his Anticipatory Bail Applications were rejected. It is submitted that the injuries inflicted are multiple puncture wounds on various parts of the body of the Complainant which were caused with the screw driver, which is corroborated by the MLC. Considering the gravity of the allegations and the conduct of the accused/Applicant, the Application deserves to be dismissed.

6. **Submissions heard and record perused.**



7. The Applicant is a young boy of 22 years old and he along with co-accused had allegedly inflicted injuries upon the Complainant. There is history of previous enmity between the parties. Charge sheet in this case has already been filed and the other co-accused; except accused Anil who is still absconding, have been granted bail.

8. In the totality of circumstances, without going into the merits of the case, the Applicant- Sonu, s/o Sh. Hari Chand, is admitted to bail on his furnishing bail bond in the sum of Rs.25,000/- with one Surety in the like amount to the satisfaction of the Trial Court, subject to the undertaking that:-

- (i) The Petitioner shall not misuse the liberty granted to him;
- (ii) The Petitioner shall not tamper with any evidence, oral or documentary during the trial;
- (iii) The Petitioner shall give his cell phone number to the Investigating Officer and keep it operational; and
- (iv) The Petitioner shall appear before the Trial Court on every date of hearing.

9. With aforesaid, the present Bail Application and miscellaneous application, are accordingly disposed of. A copy of this Order be communicated to the Jail Superintendent concerned.

(NEENA BANSAL KRISHNA)
JUDGE

JANUARY 30, 2025

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