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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 480/2025

ASHWANI KHATRI

.....Petitioner

Through: Mr. Pranjal Kr. Bhaskar and Mr.
Vikas Ahlawat, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for the State
with SI Jyoti, P.S. Hari Nagar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

27.02.2025

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By way of the present petition filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner seeks interim bail for 01 month in case FIR No. 0269/2022 dated 12.03.2022 registered under sections 308/323/34 of the Indian Penal Code, 1860 at P.S.: Hari Nagar, Delhi on the ground that he needs to make arrangements for his daughter's school admission.

2. Notice on this petition was issued *vide* order dated 04.02.2025, pursuant to which Ms. Manjeet Arya, learned APP appearing on behalf of the State has handed-up Status Report dated 24.02.2025. The same is taken on record.
3. Nominal Roll dated 24.02.2025 has also been received from the Jail Superintendent.
4. In furtherance of the direction contained in order dated 04.02.2025, the Investigating Officer informs the court that intimation about the



pendency of the present proceedings has been served upon the complainant, who is himself in judicial custody. However, no one has been produced when the matter is called-out¹.

5. Mr. Pranjal Kumar Bhaskar, learned counsel appearing on behalf of the petitioner submits, that the petitioner has made online applications for the admission of his daughter to 07 schools; and the first date for computerised draw-of-lots in the EWS/DG category by the Directorate of Education, Government of NCT of Delhi is 05.03.2025. The contents of the status report filed on behalf of the State confirm this position.
6. In this behalf, Mr. Bhaskar submits, that the petitioner requires some respite in order to arrange funds and to follow-up on the school admission process for his daughter, once the draw-of-lots is made.
7. A perusal of the petitioner's nominal roll shows that apart from the present case, the petitioner has 03 other criminal involvements for serious offences. However, as per the nominal roll, he has been admitted to bail in all those cases.
8. The petitioner's overall jail conduct is recorded in the nominal roll as 'unsatisfactory'; and he has been awarded several prison punishments, which he has already served in prison. The petitioner's jail conduct for the last 01 is noted as 'satisfactory'.
9. All the above notwithstanding, considering the ground cited for seeking interim bail, and so as not to prejudice the educational career and future prospects of the petitioner's daughter, this court is

¹ The complainant was produced via video-conferencing from jail only after the matter was already over.



persuaded to allow the present petition and grant to the petitioner – **Ashwani Khatri @ Chinni s/o Ranbir Singh** – interim bail for a period of 01 week commencing 03.03.2025, subject to the following conditions :

- 9.1. The petitioner shall furnish a personal bond in the sum of Rs. 25,000/- (Rs. Twenty-five Thousand Only) with 02 sureties in the like amount from a family member, to the satisfaction of the learned trial court;
- 9.2. The petitioner shall not leave the State of Delhi without permission of the court and shall *ordinarily* reside at the address as per prison records;
- 9.3. The petitioner shall furnish to the Investigating Officer, a cell-phone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 9.4. If the petitioner has a passport, he shall surrender the same to the learned trial court and shall not travel out of the country without prior permission of this court;
- 9.5. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial; and
- 9.6. Upon expiry of the period of interim bail, the petitioner shall surrender before the concerned Jail Superintendent.



10. Furthermore, it is made clear that if the name of the petitioner's daughter *does not appear* in the draw-of-lots to be conducted in the EWS/DG category on 05.03.2025, the petitioner would surrender back to custody within 24 hours thereafter. In this behalf, the Investigating Officer is directed to follow-up on the result of the draw and bring any anomaly to the notice of this court.
11. Nothing in this order shall be construed as an expression of opinion on the merits of the pending matter.
12. A copy of this order be sent to the concerned Jail Superintendent *forthwith*, for information and compliance.
13. The petition stands disposed-of in the above terms.
14. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 27, 2025

V.Rawat