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IN THE HIGH COURT OF DELHI AT NEW DELHI

BAIL APPLN. 504/2025, CRL.M.A. 3647/2025

LOVE

.....Petitioner

Through: Ms. Dolly Sharma, Adv.
versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP with
SI Anil Kumar, ASI Rajendra Pal,
PS Najafgarh

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

11.03.2025

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1. This is a petition seeking a grant of anticipatory bail in FIR No. 0021/2025 dated 14.01.2025 registered at PS Najafgarh under Sections 110 and 3(5) of BNS.
2. The brief facts of the case as per the said FIR are that on 12.01.2025 around 11 PM, outside Mahender Grocery Shop, Mangal Bazar, Najafgarh, the complainant was approached by one Kunal @ Goli. The petitioner along with his associates also arrived, with the petitioner holding a pistol-like weapon and one Prince holding a stick.
3. Kunal caught the complainant from behind, while Prince hit him with the stick and the petitioner threatened him, stating that they would not spare him due to a previous conflict involving his brother (in FIR No.287/2024).
4. The complainant was beaten, resulting in injuries and registered FIR No.0021/2025 against the petitioner and his associates.
5. Ms. Sharma, learned counsel appearing on behalf of the petitioner, states that the present FIR is a counterblast to FIR No.287/2024 dated 02.09.2024 registered at PS Najafgarh under Sections 109(1) and 3(5) of BNS.
6. The brief facts of FIR No.287/2024 are that on 01.09.2024 around 11:15 PM, near Najafgarh Thana Road, the petitioner was traveling with his friends in a Gramin Seva vehicle and was approached by two boys on bikes, one of them was the brother of the complainant (of FIR No.0021/2025). The assailants forcibly removed the petitioner from the vehicle. The brother of the complainant attacked



the petitioner, inflicting multiple injuries to his head, neck and hand, causing severe bleeding and rendering the petitioner unconscious. Thus, the petitioner got the FIR No.287/2024 registered against the brother of the complainant.

7. On perusal, I am of the opinion that the injuries suffered by the complainant in the present case are simple in nature and it is probable that the present FIR has been registered as a counterblast to FIR No.287/2024.
8. The previous conviction/involvement report shows that 10 other FIRs are registered against the petitioner.
9. The orders with regard to 6 FIRs out of these 10 FIRs have been handed over in the Court today.
10. Learned counsel for the petitioner states that the petitioner has been acquitted in 7 FIRs, is on bail in 2 FIRs and in one FIR, he has not received summons yet.
11. Mr. Gautam, learned APP appearing on behalf of the respondent, states that the same seems to be the correct position. However, he will verify the same.
12. Learned APP has further stated that the petitioner has joined the investigation, however, is not cooperating in the investigation as he is not answering the questions with regard to the alleged offence.
13. It is a settled proposition of law that Article 20(3) of the Constitution of India embodies the principle of protection against compulsion of self-incrimination. The accused is only required to answer as per his personal knowledge and he cannot be compelled to give answers as per the wishes of the prosecution. The Hon'ble Supreme Court, while deciding upon an anticipatory bail, in the case of ***Bijender v. State of Haryana, SLP (Crl.) No. 1079/2024, Order dated 06.03.2024***, held as under:-

“An accused, while joining investigation as a condition for remaining enlarged on bail, is not expected to make self-incriminating statements under the threat that the State shall seek withdrawal of such interim protection.”

14. Keeping in view the aforesaid facts and circumstances of the present case, the petition is allowed. It is directed that in the event of arrest, the petitioner be



released on bail subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety of like amount to the satisfaction of the concerned Investigating Officer and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the petitioner shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
 - (ii) The petitioner shall inform the concerned Investigating Officer about his current residential address.
 - (iii) In case of change of residential addresses/contact details, the petitioner shall promptly inform the concerned Investigating Officer/SHO.
 - (iv) The petitioner shall join the investigation as and when asked.
 - (v) The petitioner shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
 - (vi) The petitioner shall regularly appear before the trial Court.
15. Nothing observed hereinabove shall amount to an expression of opinion on the merits of the case.
16. The petition is disposed of in the aforesaid terms.
17. The documents handed over in Court today are taken on record.

JASMEET SINGH, J

MARCH 11, 2025/DM

Click here to check corrigendum, if any