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

+ **BAIL APPLN. 1255/2025**
DEEPANSHU

.....Petitioner

Through: Mr. Pankaj Kumar
Shamra, Mr. Rahul
Kumar, Mr. Gaurav
Bansal and Mr. Arun
Kumar, Advocates.

versus

**THE STATE (GOVT OF
NCT OF DELHI)**

.....Respondent

Through: Mr. Pradeep Gahlot, APP
for the State with SI Rajni
Kant, PS Kirti Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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01.04.2025

CRL.M.A. 9714/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present bail application is filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, ('BNSS') seeking regular bail in FIR No. 76/2025, dated 03.03.2025, under Sections 110/3(5) of The Bharatiya Nyaya Sanhita, 2023 ('BNS') registered at Police Station Kirti Nagar.
4. The FIR was registered pursuant to a complaint that the complainant while his stay in a hotel had a scuffle with the manager, who demanded ₹1500/-, from the complainant in addition to the room charges. It is alleged that upon being questioned by the complainant, the manager then called his two

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accomplices, including the applicant, who came with sticks in their hands. It is alleged that all the accused persons chased and assaulted the complainant when the complainant tried to escape. It is stated that the injuries caused were minor in nature.

5. It is alleged that the applicant was thereafter arrested in the present case on 03.03.2024 and has been in judicial custody since then.

6. The applicant's bail application was dismissed by order dated 06.03.2025 passed by the learned Additional Sessions Judge, West Dist., Delhi, on the ground that the allegations against the applicant are serious and heinous in nature and the case is still at the initial stage.

7. The learned counsel for the applicant submitted that the applicant is a law abiding citizen and has been falsely implicated in the present case.

8. He submits that the applicant is 20 years of age, and is a first time offender with clean antecedents.

9. He submits that there is no direct evidence linking the applicant to the alleged offence under Section 110 of the BNS.

10. The learned Additional Public Prosecutor for the State opposed the grant of any relief to the applicant.

11. On being pointedly asked, the Investigating Officer informed that in the CCTV footage, the applicant though can be seen present at the time of the incident but is not seen assaulting the victim.

12. At this stage, the possibility of the applicant not being actively involved in the commission of the alleged offence cannot be ruled out.

13. The object of jail is to secure the appearance of the accused during the trial. The object is neither punitive nor

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preventive and the deprivation of liberty has been considered as a punishment. However, appropriate conditions ought to be put to allay the apprehension of the applicant tampering with the evidence or evading the trial.

14. It is also not denied that the applicant has no antecedents and is in custody since 03.03.2024.

15. In such circumstances, this Court is of the opinion that no purpose would be served by keeping the applicant in further custody. However, appropriate conditions ought to be put to allay the apprehension of the applicant tampering with the evidence or evading the trial.

16. Considering the above, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹20,000/- with two sureties of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- (i) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- (ii) The applicant shall under no circumstance leave the boundaries of the country without the permission of the learned Trial Court;
- (iii) The applicant shall appear before the learned Trial Court as and when directed;
- (iv) The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- (v) The applicant shall, upon his release, give his



mobile number to the concerned IO/SHO and shall keep his mobile phones switched on at all times.

17. In the event of there being any FIR/ DD entry/ complaint lodged against the applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

18. It is clarified that the observations made in the present order are only for the purpose of deciding the present bail application and shall not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

19. The present bail application is allowed in the aforesaid terms.

AMIT MAHAJAN, J

APRIL 1, 2025

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