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

+ **BAIL APPLN. 1655/2024**

VIRENDER

.....Petitioner

Through: Ms Dolly Sharma, Adv.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr Yudhvir Singh Chauhan, APP for State
SI Jitendra Yadav, PS-Mohan Garden

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

29.01.2025

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1. This is a petition seeking regular bail in FIR No. 670/2022 dated 14.12.2022 under Section 326A/34 of IPC registered at Police Station – Mohan Garden.
2. As per the FIR, on 14.12.2022, accused person namely Sachin while sitting on the bike being driven by the co-accused Harshit threw acid on the elder sister of the complainant who was studying in Class XII. Hence, the FIR.
3. During the investigation, it was transpired that the petitioner was part of the conspiracy along with co-accused accused Sachin and Harshit. The petitioner on 14.12.2022 wore the clothes of the co-accused Sachin along with his mobile phone and went away from the place of incident to create alibi that Sachin was not the one who committed the offence. Hence, the petitioner was arrested as part of criminal conspiracy as he aided the accused



persons.

4. Learned counsel for the petitioner submits that the petitioner was not involved in the incident and has been falsely implicated in the matter. She further states that the petitioner is in custody since 14.12.2022 and has undergone more than 2 years.

5. In the present case, admittedly, the petitioner is not the person who threw the acid or the one who took Sachin to commit the offence. Additionally, the petitioner was not present at the spot when the incident was committed.

6. Further, the petitioner is in custody since 14.12.2022 i.e. undergone 2 years 1 month 15 days. The petitioner has clean antecedents and has no criminal case pending against him. The petitioner is a young boy of 24 years belonging to poor strata of society. In addition, the petitioner is still an under trial prisoner and charges are yet to be proved.

7. For the said reasons, the petitioner herein is directed to be released on bail subject to the following terms and conditions:-

- a) The petitioner shall furnish a personal bond in the sum of Rs 10,000/- (Rupees ten thousand only) with 1 surety in the like amount, to the satisfaction of the concerned trial court;
- b) The petitioner shall not leave the country without the permission of the concerned court and if the petitioner has a passport, he shall surrender the same to the concerned trial court;
- c) The petitioner shall furnish to the IO concerned the 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;

- d) The petitioner will furnish his permanent address to the concerned IO and in case he changes his address, he will inform the IO concerned;
 - e) The petitioner shall not indulge in any act or omission that is unlawful, illegal or that would prejudice the proceedings in pending cases, if any;
 - f) The petitioner shall appear in Court on every date of hearing unless exempted;
 - g) The petitioner shall not communicate with, or come into contact with any of the prosecution witnesses, or tamper with the evidence of the case.
 - h) The petitioner shall not be in the vicinity of the victim or any of her family members;
8. All the observations made herein above are only for the purpose of deciding the present petitions and will have no effect on the merits of the case pending.
9. A copy of this order be communicated to the concerned jail authorities for necessary compliance.
10. The petitions along with pending applications, if any, are disposed of.

JASMEET SINGH, J

JANUARY 29, 2025

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[Click here to check corrigendum, if any](#)