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

+ **BAIL APPLN. 2266/2025**

DINESH MUKHIYA

.....Petitioner

Through: Mr. S.R. Kamat and Mr. R.K. Kamat,
Advocates.

versus

THE STATE (GOVT OF NCT OF DELHI)Respondent

Through: Mr. Aman Usman, APP.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

07.08.2025

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1. This is an application for grant of bail in case FIR No. 605/2022, under Sections 458/457/380/511/308/325/307/34 IPC, registered at Police Station Rajouri Garden.
2. Status report filed by learned APP is taken on record.
3. Learned counsel appearing for the applicant submits that applicant was an ex employee of the complainant. Complainant had not paid full dues inasmuch as Rs. 1,50,000/- was balance due to applicant from the complainant and that is the reason why he has been falsely implicated in the present case.
4. He further submits that all other co-accused have since been enlarged on bail. Charge sheet has already been filed and, thus, applicant is not required for further investigation.
5. Bail application has been opposed by the learned APP appearing for



the State, stating that petitioner is not entitled to parity in the matter of grant of bail inasmuch as the role of the present petitioner is different from the role attributed to the other co-accused. He submits that 11 out of 26 witnesses have since been examined. It is submitted that allegations are grave and serious in nature, and therefore, applicant is not entitled for leniency of bail.

6. As per the prosecution case, applicant was an ex-employee of the complainant. On 19.10.2022, at about 09:15 PM, he along with other co-accused committed house trespass and attempted to commit theft. At that moment, the complainant and his mother returned back home and they saw the applicant trying to break the CCTV camera. He and the co-accused attacked the complainant, his mother and the servant, Abhishek. Abhishek was caused stab injuries with a sharp object in his neck. The mother of the complainant was also thrown from staircase.

7. Admittedly, injured have since been discharged from hospital after treatment. The investigation is complete. The only role attributed to the present applicant is that he was trying to break the CCTV camera at the time of the incident. The other co-accused persons have already been enlarged on bail. The applicant is stated to be in custody since last about two years and seven months.

8. The object of bail is to secure the presence of accused at the time of trial. The object is, thus, neither punitive nor preventive. If there is no apprehension of interference in the administration of justice in the trial by the accused, then the Court should be circumspect while considering depriving the accused of his personal liberty. The gravity of the offence cannot be sole ground to deny bail.



9. Admittedly, all the material witnesses have since been examined, and therefore, there is remote possibility of him threatening or influencing the witnesses.

10. Keeping in view the entire facts and circumstances, role of the present applicant, the fact that co-accused have already been enlarged on bail and the applicant is in custody for about two years and seven months, the Court deems it appropriate to enlarge the applicant on bail, upon his furnishing a personal bond in the sum of Rs. 20,000/- with local surety of the like amount, to the satisfaction of learned trial Court and subject to condition that he shall not try to contact any of the prosecution witnesses during the pendency of the trial and shall share his mobile number with the Investigating Officer and keep it operational at all times.

11. A copy of this order be sent to the Jail Superintendent for information and compliance.

RAVINDER DUDEJA, J

AUGUST 7, 2025/vd /sk