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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2329/2025**
HARUNPetitioner

Through: Mr. Ayaz Ahmed, Advocate.

versus

THE STATE NCT OF DELHIRespondent
Through: Mr. Mukesh Kumar, APP.
Inspector Kamal Yadav, ISC Crime
Branch, ND.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

% **ORDER**
24.07.2025

1. The present application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 439 of the Code of Criminal Procedure, 1973) seeks regular bail in the proceedings arising from FIR No. 242/2019 registered at P.S. New Friends Colony under Sections 143/147/148/149/186/353/332/308/427/435/323/341/120B/34 of the Indian Penal Code, 1860 and Sections 3/4 of the Prevention of Damage to Public Property Act, 1984.
2. The Applicant was earlier granted regular bail by the Sessions Court through its order dated 18th February, 2020. However, due to subsequent non-appearance before the Trial Court, non-bailable warrants were issued against him, and further proceedings culminated in his being declared a “proclaimed person” on 15th October, 2024. Despite this, the Applicant



voluntarily surrendered on 20th January, 2025 and has remained in custody since that date. His subsequent bail application was dismissed by the Sessions Court by order dated 16th May, 2025.

3. Counsel for the Applicant submits that the non-appearance was on account of unavoidable circumstances and emphasizes that the Applicant has demonstrated his intention to comply with the law by voluntarily surrendering before the Trial Court.

4. The Court has considered the facts and the submissions advanced. It is well established through catena of judgments by the Supreme Court that the object of granting bail is neither punitive nor preventative. The primary aim sought to be achieved by bail is to secure the attendance of the accused person at the trial.¹ In the present case, the Applicant was earlier released on regular bail by the Sessions Court, and was taken into custody solely on account of his non-appearance before the Trial Court. In this regard, counsel for the Applicant has given an assurance to this Court that there shall be no further default in appearance before the Trial Court, and that the Applicant shall cooperate fully in the proceedings.

5. Furthermore, as per the latest nominal roll on record, the Applicant has been in custody for 7 months and 1 day as on 07th July, 2025. In totality of the foregoing facts and circumstances, and having regard to the assurance given on behalf of the Applicant, this Court is inclined to allow the application.

6. The Applicant is, therefore, directed to be released on bail on furnishing a personal bond for a sum of ₹25,000/- with one surety of the like

¹ See also: *Sanjay Chandra v. CBI*, (2012) 1 SCC 40; *Satender Kumar Antil v. Central Bureau of Investigation*, (2022) 10 SCC 51.



amount, subject to the satisfaction of the Trial Court/Duty MM, on the following conditions:

- a. The Applicant shall cooperate in any further investigation as and when directed by the concerned IO;
- b. 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;
- c. The Applicant shall, under no circumstance, leave the country without the permission of the Trial Court;
- d. The Applicant shall appear before the Trial Court as and when directed;
- e. 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;
- f. The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
- g. The Applicant shall report to the concerned PS on first, second and fourth Friday of every month;
7. 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.
8. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.



9. The bail application is allowed in the afore-mentioned terms.

SANJEEV NARULA, J

JULY 24, 2025

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