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

% **Date of decision: 02.05.2025**

+ **BAIL APPLN. 3147/2024**

ANIL

.....Petitioner

Through: Mr. Mohit Kumar, Mr. Rahul Jangra,
Ms. Neha Tomar, Mr. Atul Kumar
Jha, Mr. Rohit Singh Negi, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastava, APP with Mr.
SI Narender, PS Vikaspuri.
Mr. Ashok Kumar, complainant

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 26413/2024

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of the present application, filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks grant of Regular Bail in FIR No. 0723/2023 dated 23.12.2023 for offences under Sections 457/380/511 of the Indian Penal Code, 1860, registered at Police Station Vikaspuri, New Delhi.
4. The learned counsel for the petitioner submits that out of the seven witnesses cited by the prosecution, only one witness has been examined, and



the examination of the second witness is currently underway. He submits that the petitioner is languishing in custody since 23.12.2023.

5. He submits that prosecution version is not reliable as it suffers from inherent contradictions explaining false implication of the petitioner in the case.

6. He further submits that, in these circumstances and the fact that he has an old age grandmother who requires his care, the petitioner be admitted to Regular Bail.

7. The learned APP, strenuously opposing the present bail application, submits that the petitioner is involved in as many as eight cases and that out of the seven witnesses cited by the prosecution, almost two witnesses have been examined. He further submits that the petitioner was caught red-handed by the complainant and his son at about 04:30 AM in the morning while he was attempting to break open the lock of the adjoining shop and was subsequently handed over to the police.

8. Heard the learned counsel for the petitioner, the learned APP for the State and perused the record and the Nominal Roll.

9. It is noted, on perusal of the Nominal Roll, that the petitioner is 23 years old and is in custody since 23.12.2023. He is involved in four other criminal cases, in all of which he has been granted bail and the trial in the present case is going to take time, complete testimony of not even two witnesses is concluded.

10. In view of the above, the petitioner is admitted to Regular Bail in FIR bearing No. 0723/2023 dated 23.12.2023 for offences under Sections 457/380/511 of the Indian Penal Code, 1860, registered at Police Station Vikaspuri, New Delhi, on furnishing a personal bond in the sum of Rs.



30,000/- with two surety in the like amount, to the satisfaction of learned Trial Court / CMM / Duty Magistrate, subject to the following conditions: -

- i. The Petitioner shall not leave the NCT of Delhi without prior permission of the Learned Trial Court.
- ii. The Petitioner is directed to give his mobile number to the Investigating Officer and keep it operational at all times.
- iii. The Petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other person acquainted with the facts of case.
- iv. The Petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.
- v. The Petitioner will mark his presence physically every Monday, Wednesday and Friday between 4 PM to 6 PM at Police Station Vikaspuri, New Delhi. The concerned officer should release the petitioner after recording his presence and after completion of all the necessary formalities
- vi. The Petitioner shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change of residential address.
- vii. The Petitioner shall appear before the learned Trial Court as and when the matter is taken up for hearing.

11. Needless to state, any observation made hereinabove shall not



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tantamount to be an expression on the merits of the case before the learned Trial Court and has been made for the consideration of the present bail application alone.

12. A copy of this Order be sent to the Jail Superintendent concerned for information and necessary compliance.

13. In view of the above, the present Bail Application is disposed of.

SHALINDER KAUR, J

MAY 2, 2025/SU/KP

Click here to check corrigendum, if any