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

+ **BAIL APPLN. 3516/2024**

NISHANT YADAV

.....Petitioner

Through: Mr. Neeraj Yadav and Mr. Rinku S.
Yadav, Advocates

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Paramjeet, PS
Ranhola

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

14.01.2025

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1. The instant application under Section 438 of the Code of Criminal Procedure, 1973 read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereafter '*BNSS*') has been filed on behalf of the applicant seeking grant of anticipatory bail in case arising out of FIR bearing no. 567/2024, registered at Police Station Ranhola, Delhi for offence punishable under Sections 115(2), 126(2), 309(4) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter '*BNS*').
2. The complainant, who appears through video conferencing, states that the matter has been amicably settled between the parties.
3. The learned counsel appearing on behalf of the petitioner draws the attention of this Court to an order dated 09.01.2025 passed by the learned



Additional Sessions Judge-09, West District, Tis Hazari Courts, Delhi,
wherein it is stated as under:

“...8. Facts of the case reveals that the revisionist has joined the investigation pursuant to the directions of the Ld. Sessions Court. Moreover, the applicant has already filed an application before Hon’ble High Court of Delhi seeking anticipatory bail and as such, it is not the case here that the revisionist has concealed himself from the process of law rather he has approached Hon’ble High Court seeking remedy available to him.

9. In above noted facts, the orders passed by Ld. Trial Court in respect of issuance of process under Section 84 BNSS against the revisionist are not sustainable and are hereby set aside...”

4. This Court has heard arguments addressed on behalf of both the parties and has perused the material on record.

5. Considering the overall facts and circumstances of the case, and that the complainant has stated that the matter has been resolved and the proceedings under Section 84 of BNSS against the applicant have been set aside, this Court is inclined to grant pre-arrest bail/anticipatory bail to the applicant. It is therefore directed that in event of arrest, the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the IO/SHO concerned, on the following terms and conditions:

- i. The applicant shall remain available on mobile number, shared by him with the I.O./SHO;
- ii. The applicant shall not leave country without the permission of the Court concerned;
- iii. The applicant shall join investigation as and when called by the I.O. and shall cooperate in the same.

6. The present application is accordingly disposed of.



7. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 14, 2025/ns

Click here to check corrigendum, if any