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

+ **BAIL APPLN. 3529/2024**
VIKESH SHARMA

.....Petitioner

Through: Mr. Rohit Saroj, Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastva, APP for the
State.
SI Gopal Saini, P.S.: Burari.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
13.01.2025

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In compliance of order dated 18.11.2024, Mr. Tarang Srivastva, learned APP has handed-up a copy of Status Report dated 18.11.2024. The same is taken on record.

2. Mr. Rohit Saroj, learned counsel appearing for the petitioner submits that FIR bearing No.316/2024 dated 22.05.2024 registered under sections 307/323/34 of Indian Penal Code, 1860 ('IPC') at P.S.: Burari, Delhi was a result of a altercation between members of the family, in which a cross-FIR bearing No. 317/2024 dated 22.05.2024 registered under sections 323/341/34 of the IPC at P.S.: Burari, Delhi was also filed by the petitioner. He submits however that no arrest



was made in FIR No.317/2024, whereas he was arrested in FIR No. 316/2024.

3. Counsel submits that in the meantime however, with the intervention of family members, the parties have settled their disputes *vide* Settlement Deed dated 03.09.2024, and have decided that they would not prosecute their respective FIRs any further. A copy of the settlement deed has been appended to the petition.
4. Counsel points-out that the complainant in the present case has *inter-alia* said that he has no objection if the petitioner is released on bail in the present case. Clause 3 of the settlement deed recites to that effect.
5. Counsel submits that the petitioner has already suffered judicial custody for more than 06 months as an undertrial; his overall jail conduct has been ‘satisfactory’; and he has no other criminal involvements.
6. The complainant is present in court. The court has interacted with him; and he confirms the settlement between the parties and does not oppose the grant of bail to the petitioner.
7. Counsel submits, that petitions seeking the quashing of the aforesaid cross-FIRs have already been filed by the parties and are listed before this court next on 10.02.2025.
8. In the circumstances obtaining in the matter, and in particular in view of the settlement arrived-at between the parties, which has been affirmed by the complainant who is present in court, the court is persuaded to grant to the petitioner – **Vikesh Sharma s/o Parmod Sharma** – *regular bail* in case FIR No.316/2024 dated 22.05.2024 registered at P.S.: Burari, Delhi subject to the following conditions :



- 8.1. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- (Rs. Twenty-five Thousand Only) with 01 surety in the like amount from a family member, to the satisfaction of the learned trial court;
- 8.2. The petitioner shall furnish to the Investigating Officer ('I.O.') a cellphone 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;
- 8.3. If the petitioner has a passport, he shall surrender the same to the learned trial court and shall not travel out of the country without prior permission of the learned trial court;
- 8.4. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. 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; and
- 8.5. In case of any change in his residential address/contact details, the petitioner shall promptly inform the I.O. in writing.
9. Since the petitioner is facing trial and is therefore appearing before the learned trial court from time-to-time, it is not considered necessary to impose a reporting requirement as a condition of regular bail.
10. Nothing in this order shall be construed as an expression of opinion on the merits of the pending matter.



11. A copy of this order be sent to the concerned Jail Superintendent *forthwith*.
12. The petition stands disposed-of.
13. Other pending applications, if any, are also disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 13, 2025/ss