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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 4143/2024

NAVEEN

.....Petitioner

Through: Mr. Rakesh Chahar, Mr. Sushant
Dahiya, Ms. Sumita Maan and Ms.
Smritee Relan, Advs.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Aman Usman, APP for State with
Insp. Rajpal Meena (I.O), PS.
Bindapur.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

16.01.2025

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1. The present petition has been filed under Section 483 BNSS read with Section 439 CrPC seeking regular bail in connection with FIR No. 737/2023 under Sections 307/384/120B/34 IPC and Sections 25/27 of Arms Act registered at Police Station Bindapur.
2. Notice was issued in the present petition on 14.11.2024.
3. The case of the prosecution is that the present FIR was registered on a complaint of Sh.Vinay Kumar on the allegation that on 07.11.2023 at about 02:30 p.m., a boy came running towards him, while the complainant was standing in front of his office. The boy had his face covered. He approached the complainant, aimed a pistol at him and fired a shot which went over the complainant's head, hit the gate of his office leading to the glass door shattering. The boy left a threatening chit and ran from the place of incident. Thereafter, he got on a bike which was being driven by another person.
4. The learned counsel for the petitioner submits that the allegation



against the present petitioner is that the meeting of the accused persons had taken place at his Coffee Shop. Further, the allegation is that one of the co-accused had supplied arms to the present petitioner for being handed over to another co-accused.

5. He submits that there is no allegation against the present petitioner that he had fired the gunshot at the complainant in the present case. He further submits that the petitioner is in custody since 16.11.2023 and his custody is no more required as the investigation has been concluded and the charge sheet has been filed.

6. Considering the period of custody and the fact that the trial has not yet commenced, coupled with the fact that no gunshot was fired by the present petitioner nor any injury was caused to any person in the present case, it is directed that the petitioner be released on regular bail subject to his furnishing a Personal Bond in the sum of Rs. 50,000/- and one Surety Bond of the like amount to the satisfaction of the Trial Court/JFMC/CMM/Duty Magistrate, further subject to the following conditions:-

- a) Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- b) Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
- c) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses directly or indirectly.

7. The petition stands disposed of.



8. It is clarified that the observations made herein above are only for the limited purpose of deciding the present bail application and the same shall not be construed as an expression of opinion on merits of the case.
9. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.
10. Order *dasti* under signatures of the Court Master.
11. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 16, 2025/dss