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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4686/2024**
INDERJEET @ ROHIT @ CIDPetitioner

Through: Mr. Ankit Attree, Adv.

versus

STATE (GOVT. OF NCT OF DELHI)Respondent
Through: Mr. Hemant Mehla, APP for the State.
SI Vikas, P.S. Khyala.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

11.03.2025

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1. This hearing has been done through hybrid mode.
2. The present application under Sections 483 read 528 of the BNSS seeks regular bail in case FIR No. 131/2024 under Sections 307/34 of the IPC, registered at P.S. Khyala.
3. The case of the prosecution as per the status report dated 07.01.2025 authored by Station House Officer, P.S. Khyala, New Delhi is as under:-

“2. That the facts of the case are that on 28/02/2024 at about 09:05 P.M, an information from GGSGH, Raghubir Nagar, New Delhi vide GD No 125A regarding admission of an injured Gurprit Singh with the alleged history of physical assault vide MLC NO.1324/2024 was received at PS Khyala, Delhi and the same was assigned to ASI Shiv Prashad. On receiving above said call he along with H.C Ravi Kant No. 1065/West immediately reached at the place of information/ GGSGH, Raghubir Nagar, Delhi where it was revealed that the injured had been referred to Safdarjung Hospital, New Delhi. Hence, the ASI Shiv Prashad along with H.C Ravi Kant No. 1065/West reached S.J Hospital where the injured



Sn. Gurpreet Singh S/O Sh. Jaspal Singh R/o RZ 41, R Block, Nearby Diler Mehendi Farm House, Nihal Vihar, Delhi, Age 38 Years was found under treatment. The statement of injured Gurprit Singh was recorded. In his statement he stated that he lives at the above-mentioned address which is his friend's residence and he is a permanent resident of House No. WZ - 620B, Shiv Nagar, Hari Nagar, New Delhi, and he is currently unemployed. Some time ago he borrowed money from one of his acquaintances Aman @ Makkhi S/O Kamal Kumar Sharma, R/o A-126, JJ Colony, Khayala, New Delhi and he was unable to return it back for some reason. Yesterday dated 28-02-2024, he along with his friend, Mani @ Gurpreet Singh was going on the Scooty bearing No. DL-9SCD-8338 ACTIVA from his home in Nihal Vihar via Ring Road passing through Keshopur Mandi Road and nearby Shed Mata Mandir, Patel Chowk which was around 8.00 PM. When they reached near Shed Mata Mandir, they found that Aman @ Makkhi S/O Kamal Kumar Sharma, R/o A- 126, JJ Colony, Khayala, New Delhi and his friend Inderjeet @ Rohit @ CID S/O Devender Kumar R/o A-682, Near S.B.I, Khayala, New Delhi were on his way who began to ask for the money given by him to him and when he said that he do not have the money right now, they became infuriated and said that they will finish him today. Subsequently, Aman @ Makkhi took out a knife from the pocket of his pant and attacked upon him on his head, back, hips and face, and his friend Inderjeet @ Rohit @ CID also attacked with the help of iron rod on his head, back and other places of his body. Both of them said that they would kill him today and when a lot of blood losing from his body, he became unconscious and fell on the ground and both of them fled from the scene, believing him to be dead. After that his friend Manni @ Gurpreet Singh took him to Guru Gobind Singh Hospital on his scooty where Doctor Sahab after preliminary treatment referred him to Safdarjung Hosppital. Amon @ Makkhi and his friend Inderjeet @ Rohit in furtherance of their common intention had caused the injury to him with knife and iron rod. Legal action be taken against them.

3. That on the basis of above statement of complainant Shri Gurpreet Singh, M.L.C and entire circumstances a case vide FIR No. 131/2024 Dt 29/02/2024 U/s 307/34 IPC was registered at PS



Khyala, Delhi and investigation was taken up.

4. That during the course of investigation, the site plan was prepared, **petitioner/accused Inderjeet @ Rohit @ CID S/O Shri Devender Kumar and his associate Aman @ Makkhi S/O Shri Kamal Kumar Sharma arrested on 29/02/2024**, the weapon of offence i.e. knife was recovered from the possession of co-accused Amon @ Makkhi and iron rod was recovered at the instance of accused Inderjeet @ Rohit @ CID.”

4. Learned counsel appearing on behalf of the applicant submits that chargesheet in the present case stands filed and charges were framed on 15.02.2025. Learned counsel appearing on behalf of the applicant submits that the injuries alleged to have been inflicted by the applicant by way of the iron rod are shown in the MLC to be simple in nature. It is further submitted that the FSL report also does not show the presence of blood on the iron rod recovered from the instance of the present applicant. It is further submitted that injured witness namely Gurprit Singh as well as the other eye-witness namely Mani @ Gurpreet Singh in the present FIR are already in judicial custody in some other case. It is submitted that the apprehension of the learned Trial Court to the effect that the present applicant will influence the said witnesses is therefore, unfounded.

5. As per the Nominal Roll dated 04.01.2025 authored by Superintendent of Prison, Central Jail no. 10, Rohini, Delhi, the applicant has been in custody since 01.03.2024 and in the previous involvements of the applicant reflected in the nominal roll, it is reflected that he is on bail.

6. Learned APP, on instructions from the Investigating Officer, submits that the applicant alongwith the co-accused has assaulted the injured eye-witness resulting in grievous injuries. The main eye witness as well as the injured witness are yet to be examined and, therefore, bail should not be



granted to the applicant at this stage.

7. Heard learned counsel for the parties and perused the record.

8. The chargesheet in the present case stands filed. It has been verified that the injured witness as well as the other eye-witness are running in judicial custody in some other FIR and their statements could not have been recorded for the aforesaid reasons. For the fact that the aforesaid witnesses are in judicial custody, there is no possibility of the present applicant inducing or threatening them. The applicant is in custody since 01.03.2024.

9. In totality of the facts and circumstances of the case, the present application is allowed. The applicant is directed to be released on bail, on his furnishing a personal bond of Rs. 25,000/- with one surety of like amount, to the satisfaction of the learned Trial Court/Link Court, further subject to following conditions:

- i. The applicant shall not leave India without prior permission of the learned Trial Court.
 - ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
 - iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
 - iv. The applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times.
 - v. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witness(s) in any manner.
10. The application is allowed and disposed of accordingly.
11. Pending application(s), if any, also stand disposed of.



12. Needless to state, nothing mentioned hereinabove is an opinion on the merits of the case and any observations made are only for the purpose of the present bail application.
13. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.
14. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

MARCH 11, 2025/nk/Pc

Click here to check corrigendum, if any