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

+ **BAIL APPLN. 16/2025**

FIROZ KHAN

.....Petitioner

Through: Mr. Basant Kumar Gautam, Mr.
Pawan Deep Gautam & Mr. Aniket
Kumar, Advocates.

versus

THE STATE (N C T OF DELHI)

.....Respondent

Through: Ms. Richa Dhawan, APP for State
with SI Ankit Kumar (P.S. Jahangir
Puri).

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

12.02.2025

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1. This petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking anticipatory bail in FIR No.915/2024 dated 22.12.2024, registered at Police Station [P.S] Jahangir Puri, for offences under Sections 115(2)/126(2)/351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25/27 of the Arms Act, 1959.
2. The learned counsel for the Applicant states that the Applicant is entitled to the benefit of pre-arrest bail on the basis of parity since in the application filed by the co-accused Kasim for seeking anticipatory bail, the statement of the Investigating Officer (I.O.) has been recorded that the co-accused Kasim has already joined the investigation and is not required for



any further custodial interrogation and on that basis, the petition stands disposed of.

3. The learned APP states, on instructions, from I.O. that the petitioner may be directed to join investigation on **13.02.2025** at **04:00 PM**.

4. In the facts of this case, where admittedly, there was financial transaction disputes between the parties and otherwise parties are known to each other and in the video relied upon by the prosecution, it is the Applicant herein, who is seen injured, therefore, this Court is of the opinion that the Applicant has made out a case for grant of anticipatory bail. It is also a matter of record that the alleged pistol used in the commission of offence has already been recovered from the complainant.

5. In light of the above, the Court is of the considered opinion that the Applicant is entitled to anticipatory bail. Consequently, in the event of arrest, the Applicant be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned and further subject to the condition:

- i. The Applicant shall cooperate and join the investigation as and when directed;
- ii. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- iii. The Applicant shall provide his mobile number(s) to the Investigating Officer;
- iv. In case of change of residential address and / or mobile number, the Applicant shall intimate the same to the Investigating Officer / Court concerned by way of an affidavit.



6. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
7. It is made clear that this Court has not dealt with the merits of the case and has restricted itself to the question of whether anticipatory bail can be granted to the Applicant or not. The observations made hereinabove shall nowhere affect the merits of the case during trial.
8. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

FEBRUARY 12, 2025/a

MANMEET PRITAM SINGH ARORA, J

Click here to check corrigendum, if any