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

+ **BAIL APPLN. 53/2025**

ARUN

.....Petitioner

Through: Mr. Ranvir Singh, Adv.
versus

THE STATE GOVT. NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for the State.
SI Shubhanshu, PS Kalyanpuri.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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04.04.2025

1. This hearing has been done through hybrid mode.
2. The present application under Section 439 of the CrPC read with Section 483 of the BNSS seeks regular bail in case FIR No. 792/2023 under Sections 307/341/34/174-A of the IPC registered at PS Kalyanpuri, Delhi.
3. The Status Report dated 04.04.2025 is handed up in court today and the same is taken on record. In the said Status Report it is recorded as under: -

“Most respectfully, it is submitted that present bail application was filed by the petitioner Arun in the present FIR No. 792/23, U/s 307/341/34 IPC, PS- Kalyanpuri, Delhi. The brief facts of the case are that the complainant Aman stated that there is enmity between his brother-in-law Arjun and Manoj Aligarhiya. Due to this enmity on 4/9/2023 at around 12:30 AM, Manoj Aligarhiya along with his brothers-in-laws reached the house of complainant's mother-in-law Sikandar Kaur to take revenge from Arjun, where Arjun was not found. Meanwhile Sikander Kaur called the complainant and told that Manoj Aligarhiya and his brothers-in-laws had come to beat Arjun. on hearing this the complainant Aman and Rohit rushed to Arjun's house on a motorcycle and when they both reached at the square of 16 block kalyanpuri at around 12:30 AM, they were stopped by Manoj Aligarhiya and his brother-in-laws Sonu, Rahul



and Arun. Rohit was able to free himself and run away but the complainant could not, then Manoj Aligarhiya stabbed the complainant Aman three or four times with a knife while other Accused persons caught hold of him.”

4. Learned counsel appearing on behalf of the applicant submits that the complainant/injured in the present FIR had given a statement before the learned ASJ at the time of hearing the arguments on application of bail preferred by the present applicant and his statement was also recorded on 06.11.2024. In the said statement the complainant stated that he had never mentioned the name of the applicant to the Investigating Officer and after seeing his photograph he realised that he had never seen the present applicant. It is further pointed out that the applicant is not involved in any other previous offence and the charge-sheet already stands filed.
5. Learned APP appearing on behalf of the State on instructions of the Investigating Officer submits that initially the complainant had taken the name Arun i.e. the present applicant, however, the Investigating Officer confirms the fact that the complainant had given the statement before the learned ASJ to the effect that he did not take the name of the present applicant. Complainant is present in the Court today and affirms his stand taken before the learned ASJ. It is however submitted that during investigation the present applicant was declared PO.
6. Admittedly, there are no other previous involvements of the present applicant in the present FIR and the charge-sheet stands filed before the learned Trial Court. Further the nominal roll dated 20.02.2025 reflects that the applicant has been in custody since 28.08.2024.
7. In totality of the facts and circumstances, the application is allowed.



The applicant is 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 in any manner.
8. The application is allowed and disposed of accordingly.
9. Pending application(s), if any, also stand disposed of.
10. 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.
11. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.
12. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

APRIL 04, 2025/kr/pr

[Click here to check corrigendum, if any](#)