

IA No. 02/2025
State Vs. Anil & Ors.
FIR No. 96/2017
PS: Darya Ganj
U/s: 392/397/34 IPC

03.12.2025

This is an application under Sec. 483 BNSS filed on behalf of applicant/accused namely Shahnawaj for grant of regular bail.

Present : Sh. Shreyas Pragyanan, Ld. Addl. PP for the State.
Sh. Sanjeev Rathi, Ld. Counsel for applicant/
accused.
IO/SI Arpit Kumar in person.

Ld. Counsel for accused/applicant submits that no bail application is pending before the Hon'ble High Court of Delhi and Hon'ble Supreme Court of India.

Reply to the bail application as well as nominal roll has been filed by the IO and Jail Superintendent respectively. Same are taken on record.

Ld. Counsel for accused/applicant the accused/applicant could not appear before the court on 13.08.2025 as he was suffering from illness and on 03.07.2025 as he had gone to his native village. He further submits that NBWs were issued against accused/applicant and on 17.11.2025 when accused/ appeared before the court, he was taken into custody. He further submits that accused/applicant has the responsibility of his family members. He submits that accused/applicant has learnt a lesson and from now onwards, he will regularly appear before the court. He further submits that accused/applicant is ready to

furnish sound surety through which the presence of accused/applicant can be ensured.

Per contra, Ld. Addl. PP for the State submits that accused/applicant is in habit of not appearing before the court and if he granted bail his presence may not be secured and hence he should not be granted bail.

I have heard the submissions and perused the record.

Accused/applicant has already been granted regular bail on merits on 06.06.2017. Thereafter, he did not appear before the court on several occasions due to which the court proceedings were affected. NBWs were issued against the accused/applicant which could not be executed and on his appearance before the court, he was taken into custody. The conduct of accused/applicant is not proper. However, keeping in view of submissions of the Ld. Counsel of accused/applicant regarding the dependency of family members upon him and the assurance given by the Ld. Counsel for accused/applicant, **accused/applicant is granted regular bail on furnishing personal bonds in sum of Rs. 15,000/- with one surety in the like amount, on the following terms and conditions:-**

1. **The applicant/accused shall not leave NCR till the conclusion of trial;**
2. **The applicant/accused shall keep his mobile phone on at all times;**
3. **The applicant/accused shall make no contact with the prosecution witnesses;**

4. The applicant/accused shall not tamper with the evidence in any manner and shall not try to influence the witnesses directly or indirectly;
5. The applicant/accused shall commit no offence whatsoever and in the event of his being involved in any other case and lodging of FIR of DD entry against him, the State shall bring the same to the notice of the Court forthwith;
6. The applicant/accused is directed not to threat the complainant/witnesses in any manner and shall not come in the vicinity of the complainant/witnesses.
7. The applicant/accused shall intimate this court as and when he changes his residential address.

The State is at liberty to file the cancellation of the bail of the accused/applicant, if he violates the conditions of the present bail order.

The bail application stands disposed off accordingly.

Copy of this order be given Dasti to all concerned.

A soft copy of this order be sent to Jail Superintendent today itself through e-mail as per the directions issued by the Hon'ble Supreme Court of India in SMWP(Crl) no. 4/2021 vide order dated 31.01.2023.

(Virender Kumar Kharta)
ASJ/FTC-02(CENTRAL)
TIS HAZARI COURTS:DELHI :03.12.2025