

06.03.2026

Present : Sh. Girish Giri, Ld. Addl. PP for the State.

Sh. Ashish Sharma, Ld. Counsel for
applicant/accused Rajji Abbas @ Abbas (through
VC).

IO/SI Monil Kumar is also present.

Reply to the bail application of applicant/accused
Rajji Abbas @ Abbas filed by the IO is on record.

Submissions heard on the bail application of
applicant/accused Rajji Abbas @ Abbas. Record perused.

Ld. Counsel for the applicant/accused submits that
the applicant/accused is innocent and he has been falsely
implicated in the present case. He further submits that the
applicant/accused has no concern with the co-accused who were
named by the complainant in the alleged incident of 24.04.2025.
He further submits that the investigation has already been
completed and the chargesheet has also been filed and that the
applicant/accused is in JC since 28.10.2025 and it will take
considerably long time to conclude the trial.

Ld. Addl. PP for the State has strongly opposed the
present application and has prayed for its dismissal. He further
submits that the applicant/accused alongwith his co-accused
persons had attacked the complainant Dalip with a *patiya*
(*pathhar ki silli*) on his head and they also attacked the aforesaid
complainant and his wife Ms. Ruby with stones and bricks
thereby causing injuries to them. He further submits that the
applicant/accused is found involved in two more criminal cases

and if he is released on bail, chances of his indulgent in other criminal cases cannot be ruled out and that he may also threaten the material public witnesses/complainant as the matter is at the stage of charge.

I have heard Ld. Counsel for the applicant/accused, Ld. Addl. PP for the State and have perused the record.

In case titled ***State of Rajasthan Vs. Balchand***, (1977) 4 SCC 308, Hon'ble Apex Court has opined as under:

"2. The basic rule may perhaps be tersely put as bail, not jail, except where there are circumstances suggestive of fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offences or intimidating witnesses and the like, by the petitioner who seeks enlargement on bail from the Court. We do not intend to be exhaustive but only illustrative."

Perusal of record reveals that the chargesheet for the offence u/s 110/3(5) BNS has been filed against the accused persons in this case. Conclusion of the trial is likely to take considerable time as the medical opinion on the nature of injuries suffered by the victim Ms. Ruby is yet to be obtained and filed on record. As per the opinion on the MLC of the complainant Dalip he has suffered simple injuries. Accordingly, keeping in view the fact that the applicant/accused is in JC since 28.10.2025, applicant/accused **Rajji Abbas @ Abbas is admitted to bail** on his furnishing a personal bond in the sum of Rs.25,000/- with two sureties each in the like amount, and subject to the following conditions :

(i) the applicant/accused will not leave the city without prior permission of the court.

(ii) the applicant/accused shall appear before the court on each and every date.

(iii) the applicant/accused shall provide all his mobile numbers to the IO concerned, which shall be kept in working condition at all times and shall not change the mobile number without prior intimation to the IO concerned.

(iv) the applicant/accused shall not indulge in any criminal activity.

(v) the applicant/accused will not threaten or influence the prosecution witnesses or tamper with evidence or create any sort of impediment in the trial etc.

It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.

Copy of this order be sent to the Superintendent Jail concerned.

The present bail application stands disposed of in terms of the above order.

IO/SI Monil Kumar seeks more time for filing medical opinion regarding the nature of injuries suffered by victim Ms. Ruby. The final report/chargesheet was filed on 18.07.2025 in the present case and the opinion on MLC of aforesaid victim has not been filed on record till date which shows patent callousness on the part of the IO/SHO concerned as well as the Supervisory officers. A copy of this ordersheet as well as ordersheet dated 19.02.2026 be sent to the O/o Joint Commissioner of Police, Northern Range, Delhi to look into the patent callousness on the part of its officials.

Put up on date already fixed i.e. on **27.03.2026** for purpose already fixed.

(PREM KUMAR BARTHWAL)
Principal District & Sessions Judge
North District/Rohini Courts/Delhi
06.03.2026 (dv)