

11.04.2026

File taken up today as 03.03.2026 was declared holiday in terms of notification No. 64/G-4/Genl.-I/DHC dated 27.02.2026 issued by Hon'ble High Court of Delhi.

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

Accused produced in JC.

Sh. Robin Kamra, Ld. CLADC for the accused.

Ld. CLADC for the accused has filed copy of authority letter dated 12.03.2026 issued by the Link Secretary, DLSA, North, Rohini Courts, Delhi, authorizing him to contest the present case on behalf of the accused.

Reply has already been filed by the IO to the bail application moved on behalf of applicant/accused Anand @ Anna. Copy supplied.

Submissions on the present bail application heard and record perused.

Ld. Counsel for the applicant/accused submits that the applicant/accused is innocent and has nothing to do with the alleged offence and he has been falsely implicated in the present case. It is being further submitted that the applicant/accused is a young offender aged 24 years and he is sole bread earner of his family and due to his confinement, the family of the applicant/accused is at the verge of starvation. It is further submitted that the investigation has been completed and the chargesheet has already been filed. It is further submitted that no recovery has been affected from the applicant/accused. It is further submitted that the applicant/accused is in JC since

22.05.2025 and the trial will take long time to conclude and the applicant/accused cannot be kept in JC for an indefinite period.

Ld. Addl. PP for the State has strongly opposed the present application and has prayed for its dismissal contending that the applicant/accused abused and manhandled with complainant/injured Jitender Kumar Das on the petty issue of ear buds and thereafter the applicant/accused picked up a glass bottle and hit the same on the head and nose of the complainant thereby causing injuries to him. He further contended that the matter is at the stage of charge and material witness i.e. the complainant/injured himself is yet to be examined hence, chances of the applicant/accused threatening the complainant/injured cannot be ruled out if he is released on bail.

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 BNS has been filed against the accused in this case. The applicant/accused is in JC since 22.05.2025 and conclusion of the trial is likely to take considerable time. Accordingly, keeping in view the overall facts and circumstances of the case and considering the period of custody of the

applicant/accused, the applicant/**accused Anand @ Anna S/o Sh.Devender is admitted to bail** on his furnishing a personal bond in the sum of Rs.20,000/- with one surety 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.

Put up for arguments on the point of charge on **03.06.2026**. IO be summoned for the next date of hearing.

(PREM KUMAR BARTHWAL)
Principal District & Sessions Judge
North District/Rohini Courts/Delhi
11.04.2026 (dv)