

17.08.2022

File is taken up on an application U/s. 439 Cr. P. C for grant of bail moved on behalf of applicant/accused **Manoj @ Toni @ Chotu**.

Present: Sh. Sanjay Jindal, Id. Addl. PP for the State.
Sh. Akshay, Ld. Counsel for applicant/accused.

Reply of the bail application has been received.

Ld. Counsel for applicant/accused submits that applicant/accused is in JC since 30.08.2020 and he has been falsely implicated in the present case. It is further submitted that nothing incriminating has been recovered from the applicant/accused and nor anything was recovered at his instance. It is further submitted that chargesheet has been filed in the present case and applicant/accused is not required in any kind of investigation nor any custodial interrogation is required. It is further submitted that co-accused Ankit Mann has already been granted regular bail and applicant/accused seeks bail on parity ground. Ld. Counsel for applicant/accused has also shown a video related to this case which shows that applicant/accused had not fired gunshot and prayer is made out for grant of bail.

On the other hand, Ld. Additional PP for State has strongly opposed the bail application on the ground that allegations against the applicant/accused is heinous in nature and submits that applicant/accused was involved in another criminal case. It is further submitted that co-accused Ankit was driving the car which chased and hit the scooty of the complainant and complainant has clearly stated that applicant/accused was also one of the persons who had fired upon him and bail application may be dismissed.

SC 256/2019

STATE Vs. HARSH @ DEEPAK @ JONI

FIR No. 485 /2018

PS Bawana

U/s. 307/120B/174A IPC &25/27 Arms Act

Heard.

Keeping in view of the fact that the complainant has also named him as one of the persons who had fired upon him and the applicant/accused along with co-accused persons have attacked the complainant twice in a quick succession as well as the applicant had been declared PO earlier and also considering the fact that material witnesses are yet to be examined and if he is released on bail, he may influence the witnesses, the regular bail of the applicant/accused is dismissed hereby. Copy of the order be given dasti.

(Shivaji Anand)

Addl. Sessions Judge: 04 (North)

Rohini Courts: Delhi: 17.08.2022^(RB)