

DLNT01-009017-2017
Session Case no.452/2017
IA/1/2021 2nd Bail application of accused Naveen @ Fouji
FIR no. 57/2017
PS-Bawana
State Vs-Dharamraj @ Dharam & Ors.
U/s-392/397/365/411/34 IPC
& u/s-27/54/59 Arms Act

23/12/2021

File taken-up today as this second application u/s 439 CrPC for grant of regular bail moved on behalf of applicant/accused Naveen @ Fouji has been placed before me since the regular matter is pending before this Court.

Present: Sh. Sanjay Jindal, Id. Addl. PP for the State.
Sh. Sunil Dutt Kaushik, Id. counsel for the applicant/accused.

Reply to the bail application has been received.

It is submitted by Id. counsel for the applicant/accused that the applicant/accused is in J.C. since 01/04/2017, has been falsely implicated by the concerned police officials, nothing has been recovered from his possession, the investigation has been completed and accused is not required for any kind of purpose in judicial custody, charge-sheet has been filed, he is the sole bread earner of his family, the applicant/accused filed bail application, which was dismissed on 06/09/2018, he is ready to furnish the sound surety and undertakes to abide by all the terms and conditions which may be imposed upon him, while granting bail and is ready to furnish the sound surety to the satisfaction of the Court. He has further submitted that co-accused Dharamraj @ Dharma & Rahul @ Lamba (A-3) have already been granted bail. He has lastly prayed for grant of bail to the applicant/accused.

On the other hand, Id. Addl. PP for the State has objected to the

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grant of regular bail to the applicant/accused on the ground that he along with his associates had committed of one ECO car on the point of weapon.

IO has also stated that both accused Dharamraj @ Dharma & Rahul @ Lamba have already been granted bail. He has further submitted that the role of the present applicant/accused is similar to the co-accused who have been granted bail.

Heard. Keeping in view the custody period of the applicant/accused & also in view of the fact that two of the co-accused have already been granted bail & the applicant/accused is having similar role to the said co-accused , hence, on the ground of parity, **he is ordered to be released on bail on his furnishing personal bond in the sum of Rs. 30,000/- with one surety in the like amount.** However the applicant/accused is directed not to threaten the prosecution witnesses or tamper with evidence or indulge in **any other criminal activity in future** and to follow the guidelines qua COVID 19 issued by Government of India as well as by Govt. of NCT of Delhi. The applicant shall share his phone live location as and when required by the IO. In case, it is prima facie brought to the notice of the Court that the applicant/accused is violating the said conditions, the bail granted to **him shall be liable to be cancelled on an application of investigating agency** in this regard. The bail application is

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disposed of accordingly. It be tagged with the main case file. Nothing stated herein shall tantamount to any expression of opinion on the merits of the case.

Put up on date fixed for purpose fixed.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:23/12/2021(A)