

29/04/2021

As per latest order of Hon'ble High Court vide no. 2/R/RG/DHC/2021 dated 19/04/2021 & order no. 5/R/RG/DHC.2021 dated 23/04/2021 & subsequent orders dated 19/04/2021 of Id. Principal District & Sessions Judges, North & North-West, Rohini Courts, Delhi & order dated 24/04/2021 of Id. PD&SJ, North, Delhi, all judicial officers of Delhi District Court shall take-up only urgent cases of their respective Courts, through videoconferencing from 27/04/2021 till 15/05/2021 and all other matters shall be adjourned en bloc and information in this regard shall be uploaded on the website(s) of Delhi District Courts.

This application for grant of regular u/s 439 Cr.PC moved on behalf of above named applicant/accused Akshay @ Banty is placed before me in terms of order No.Judl./Bail/North/RC/2021/1234012364,dated 30.03.2021 of Id. Principal District & Sessions Judge, North, Rohini Courts, Delhi. The same is taken-up through videoconferencing via CISCO Webex App. Present in the Court : None for parties.

Present through Webex :Sh. Sanjay Jindal, Id. Additional. PP for the State.

:Sh. Anil Srivastava, 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 applicant/accused has been falsely implicated in the present case on the basis of fake complaint of the complainant, nothing has been recovered from him or at his instance and if anything has been recovered, the same has been planted upon him. He as further submitted that investigation has already been completed, challan has been filed, custodial interrogation of the applicant/accused is no more required and hence no purpose would be served by keeping him further in custody. He has further submitted that applicant/accused has clean and clear antecedents, his mother is suffering from various health conditions, co-accused has been released on bail, there is no chance of absconding of accused or tampering with evidence, is ready to submit the sound surety and as such he may be released on bail.

On the other hand, Id. Addl.PP for the State has opposed the bail application on the ground that stab injury was caused by this accused on the vital part of the complainant and that role of this applicant/accused is on different footing than the co-accused who have been granted bail.

Heard. Keeping in view the role of the applicant/accused, also in view of the fact that stab injury on the vital part of the complainant was caused by this applicant/accused and his role is on different footing than the co-accused, who have been granted bail, the present bail application is dismissed and is disposed of accordingly.

Bail application file be tagged with the main case file.

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Let copy of this order be sent on the email/ whatsapp of the Id. Counsel for the applicant/accused.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:29/04/2021(A)