

CNR No.:DLNT01-006992-2021
SC No. 460/2021
STATE Vs. Raju & Ors.
FIR No. 596/2021
PS Jahangir Puri
U/s: 302/120B/201/34 IPC &
U/s 25/54/59 Arms Act

18.07.2023

(File taken up today on an application U/s. 439 Cr. PC for grant of interim bail moved on behalf of applicant/accused Ankit @ Dudhiya).

Present: Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.
Sh. Manmohan Singh and Sh. Sandeep Singh,
Ld. Counsels for applicant / accused.

Reply to the present interim bail application has been filed on behalf of IO. Same be taken on record.

Ld. Counsel for applicant / accused has argued that vide order dated 28.10.2022, charges were framed against the accused persons including the present applicant / accused. It is further argued that first interim bail of application / accused has already been dismissed by this Hon'ble Court vide order dated 12.12.2022. It is further argued that there is delay in registration of the present FIR. It is further argued that a series of allegations have been attracted to the instant case which are easy to allege and difficulty to prove. It is further argued that the applicant / accused is suffering from various medical ailments and complications as he was stabbed by 10-12 people and received life threatening injuries and applicant / accused is not provided adequate medical facilities in the Rohini Jail. It is further argued that the applicant / accused is in J/C and he has been falsely implicated in the present case. It is

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also argued that applicant / accused is victim in case bearing FIR No.386/2020 PS Jahangir Puri and in the present FIR case, applicant / accused has received major injuries and he is still undergoing treatment for those injuries. It is further argued that charge-sheet has already been filed in the present case and trial will take a long time thirty one witnesses are yet to be examined. It is also argued that applicant / accused is 21 years old who is the only sole bread earner of his family and in his family, one three sisters and old aged parents. It is, therefore, prayed that applicant / accused may kindly be granted interim bail.

On the other hand, Ld. Additional PP for State has strongly opposed the bail application and has submitted that allegations against the applicant / accused are serious in nature. It is further argued that applicant / accused shot at Rohit, who collapsed at spot. Ld. Additional PP for state has drawn attention of the Court towards order dated 12.12.2022 whereby the application for grant of interim bail was on similar ground was dismissed by this Court. It is further submitted that applicant / accused does not require any medical treatment at present and the medical report filed along with the present application is old and pertains to the year 2020. It is prayed that the above said application may kindly be dismissed.

Submissions Heard. Record perused.

Perusal of the file shows that matter is at the stage of

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PE and examination of eye-witness PW-1 has not been concluded as yet. Further, an application for grant of interim bail was earlier filed on behalf of applicant / accused Ankit @ Dudhiya on similar grounds which was dismissed by this Court vide order dated 12.12.2022. From, perusal of the record, it is clear that applicant / accused is seeking interim bail for treatment of the injuries sustained by him in the year 2020 i.e., around three years back. Perusal of the order dated 12.12.2022 also shows that a report was called from Jail Superintendent concerned wherein it was clearly mentioned that the injuries sustained by applicant / accused in the year 2020 have already been healed. Further, the allegations against applicant / accused are serious in nature.

Keeping in view of the above discussion as well as in view of the fact that the offences alleged against applicant / accused are serious in nature, this Court is not inclined to grant interim / regular bail to applicant / accused Ankit @ Dudhiya. Therefore, the same is hereby dismissed. Copy of the order be given dasti to the concerned parties. The present application be tagged along with main case file.

**(Sushil Kumar)
Addl. Sessions Judge-04
North District Rohini Courts Delhi
18.07.2023 (RG)**