

SC 807/2018
STATE Vs. RANJU ETC. (2)
FIR No. 413 /2018
PS Bhalswa Dairy
U/s. 302/120B/34 IPC

04.11.2023

File taken up today on an application U/s. 439 Cr. P. C for grant of bail moved on behalf of applicant/accused **Harvir Singh**.

Present: Sh. A. B. Asthana, Ld. Addl. PP for the State.
Sh. Amjad Khan, Ld. counsel for applicant/accused.
IO/Inspector Gaurav Kumar in person.

Reply to the above said application has been filed by the IO. Same is taken on record.

Ld. counsel for applicant/accused submitted that applicant/accused is in JC since 12.08.2018 and he has been falsely implicated in the present case. It is further submitted that investigation qua the applicant/accused has already been completed and he is no more required for custodial interrogation. It is further submitted that nothing has been recovered from the possession of applicant/accused and in the present case all the public witnesses have already been examined. It is further submitted that in the present case co-accused Ranju has already been granted bail and no fruitful purpose would be served to keep the applicant/accused behind the bar. It is prayed that the above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is further submitted that vide order dated 06.06.2023, this Hon'ble Court has already dismissed the bail application of applicant/accused, till date no fresh ground is made

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out to grant the above said application. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

Perusal of the record shows that charges for the offences punishable U/s. 302/34 IPC have been framed against applicant/accused and his co-accused Ranju and the matter is at the stage of PE. Further, co-accused has already been granted bail vide order dated 11.04.2023. Applicant/accused is in JC since 11.08.2018 i.e. for a period of about more than five years. Further, present case is at the stage of evidence and all the material witnesses have already been examined. Trial shall take time. Therefore, on the ground of parity as well as keeping in view of the above discussed facts and circumstances, it is ordered that **applicant/accused Harvir Singh be released on bail on his furnishing personal bond in the sum of Rs. 30,000/- with one surety in the like amount.**

- (i) Applicant/accused is directed not to threaten prosecution witnesses in any manner or tamper with evidence or indulge in any other criminal activity in future;
- (ii) The applicant shall share his phone live location as and when required by the IO;

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(iii) The applicant shall appear before the court on each and every date of hearing;

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 disposed of accordingly. Nothing stated herein shall tantamount to any expression of opinion on the merits of the case. **Application stands disposed of. Bail application file be tagged with the main file.**

**(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
04.11.2023**