

06-06-2019

Present: Dr. Raj Rani, Id. Addl.PP for the State.
Accused produced from JC.
Shri Anuj Arya, learned counsel for accused.

Matter is at the stage of arguments on charge.

Arguments on charge heard on behalf of both the parties.

It is stated by learned counsel for accused that the accused has been falsely implicated in this case by the IO.

As per prosecution case, on 19-05-2017 at about 7.30 pm at Qutabgarh, Ladrawan Road, High Tension Wire Line, Qutabgarh Mani, Delhi, accused Ravinder @Lappu along with his two associates namely Mukesh (since discharged) and Abhishek @ Shekhu (Juvenile) in furtherance of their common intention voluntarily caused hurt by country made pistol (katta) on the person of Pradeep Kumar.

MLC of injured also fortifies the factum of some injury to injured Pradeep.

In these circumstances, prima facie a case under Section 307/34 IPC is made out against the accused. Accordingly, a charge for the offence under Section 307/34 IPC is framed against the accused to which he pleaded not guilty and claimed trial.

At this stage, learned counsel for accused has pressed his application under Section 439 Cr.P.C. for grant of bail to the accused.

Learned counsel for accused submits that accused has been

falsely implicated in the present case and as per prosecution case, he was driving the motorcycle only on the day of incident. Learned counsel further submits that accused is in JC since 11-02-2019 and investigation qua him has already been completed and now, he is no more required for any kind of custodial interrogation. Learned counsel further submits that there is no chance that accused will abscond or tamper with the evidence if he is released on bail.

On the other hand, learned Addl. PP for the State submits that accused does not deserve any leniency.

Having considered the fact that accused is in JC since 11-02-2019 and investigation qua him has already been completed, accused Ravinder @ Lappu is admitted to bail on his furnishing Personal Bond and Surety Bond in the sum of Rs.20,000/- (Twenty Thousand).

Put up for PE on 01-08-2019. Complainant and other PWs be summoned for the next date of hearing.

IO is directed to file the complete record on the next date of hearing.

(Deepak Jagotra)
District & Sessions Judge
North West District
Rohini Courts, Delhi, 06-06-2019