

05.06.2024

Present: Shri Dushyant Siwatch, Ld. Addl. Public Prosecutor
for the State.
Shri Arvind Aggarwal, counsel for the applicant/
accused.
IO/ASI Krishan.

The applicant/accused Sonu S/o Sh. Krishan has moved the present bail application under Section 439 Cr.P.C.

During the course of arguments, it has been argued on behalf of the applicant/accused that applicant/accused has been falsely implicated in the present case and is in custody since 06.03.2024. It is submitted that investigation is complete, charge-sheet has been filed and FSL result is still awaited. It is stated that all the witnesses are police officials. It is submitted that trial will take considerable time. It is submitted that applicant/accused is ready to abide by any condition imposed while grant of bail. It is prayed that applicant/accused be granted bail.

Reply filed by the IO.

Per contra, the present bail application is opposed on behalf of Ld. Addl. Public Prosecutor for the State on the ground that the allegations against the applicant/accused are grave and serious in nature and that he had fired at the police official who were trying to apprehend the accused as accused persons were trying to snatch the chain of HC Jairam. It is prayed that the present application be dismissed.

Arguments heard. Record including charge-sheet

perused. Considered.

Perusal of the record reflects that the applicant/accused is in custody since 06.03.2024. Investigation is complete and charge-sheet is filed before this Court and is pending for FSL result. It is further seen from the perusal of the file that all the witnesses are police officials. Therefore, in view of the aforesaid facts and circumstances, no useful purpose would be served by keeping the applicant/accused behind bars. Hence, the applicant/accused is granted bail on furnishing of personal bond in the sum of Rs. 25,000/- with one surety of like amount to the satisfaction of Court.

Applicant/accused shall furnish bail bond in terms of judgment passed by Hon'ble Delhi High Court in Crl.M.C.5328/2013 titled Sunil Tyagi Vs. Govt. of NCT of Delhi. Accordingly, the present application U/s 439 Cr.P.C seeking grant of regular bail filed on behalf of applicant/accused is allowed.

Nothing expressed hereinabove shall tantamount to any opinion on merits of this case.

Hard copy of the order be sent to concerned Jail Superintendent through Dak Dispatch and Soft copy be also e-mailed in terms of judgment of Hon'ble Supreme Court in case titled SMWP (Crl.) No.4/2021 in Re Policy Strategy for grant of bail vs. Mr. Gaurav Agrawal, Adv. Amicus Curiae.

Copy of order be also given dasti to Ld. counsel for applicant and IO, as prayed for.

(Gurmohina Kaur)
ASJ-05/South-West District,
Dwarka Courts/New Delhi
05.06.2024