

Bail Application
IA No. 1-2024
SC No. 436-2024
State Vs. Ramu
FIR No. 005487/2024
PS : Palam Village
U/s : 379/411/413/34 IPC

05.07.2024

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

The applicant/accused Ramu has moved the bail application under Section 439 Cr.P.C. for grant of bail.

During the course of arguments, it has been argued on behalf of applicant/accused that accused is in custody since 28.02.2024. It is submitted that accused has been falsely implicated in the present case. It is submitted that investigation is complete and trial will take considerable time. It is prayed that applicant/accused be granted bail.

Reply has been filed by the IO.

The present application has been opposed by Ld. Addl. PP for the State on the ground that the allegations against the applicant/accused are serious in nature. It is submitted that applicant/accused is involved in various cases alongwith co-accused Sachin. It is prayed that present application be dismissed.

Arguments heard. Record perused. Considered.

It is seen from the perusal of the charge-sheet that the alleged motorcycle has been recovered from the possession of co-accused. Applicant/accused is in custody since 28.02.2024, 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. 30,000/- with one surety of like amount to the satisfaction of Court and subject to following condition :-

- a) Applicant will not leave the city without prior permission of the Court.
- b) Applicant shall appear before the Court as and when the matter is taken up for hearing.
- c) Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses or any family members of the witnesses.

Applicant/accused shall furnish bail bond in terms of judgment passed by Hon'ble Delhi High Court in CrI.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 (CrI.) 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
05.07.2024