

IA No. 02-2025
SC No. 601-2025
State Vs. Pradeep
FIR No. 570/2024
PS : Bindapur
U/s : 109(1)/3(5) BNS

30.10.2025

Present: Shri Dushyant Siwatch, Ld. Chief Public Prosecutor for the State.
Shri Abhinav Rai and Siddharth Jangid, counsels for the applicant/accused.
IO in person.

The applicant/accused Pradeep has moved the bail application under Section 439 Cr.P.C. (483 BNSS) for grant of bail.

During the course of arguments, it has been argued on behalf of applicant/accused that the applicant/accused has been falsely implicated in the present case and is in JC since 14.07.2025. It is submitted that the applicant/accused has not caused any injury to the victim. It is submitted that the applicant/accused has no previous involvement and no recovery has been effected from him. It is further submitted that investigation is complete. It is further submitted that no useful purpose would be served by keeping the applicant/accused behind bars and trial will take considerable time and it is prayed that applicant/accused be granted bail.

Reply has been filed by the IO.

The present application has been opposed by Ld. Chief Public Prosecutor for the State and the IO on the ground that the allegations against the applicant/accused are serious in nature. It is further submitted that applicant/accused alongwith

other co-accused persons had stabbed the victim on his neck and stomach. It is further submitted that accused was present alongwith co-accused Ratan Kumar who had stabbed the victim on account of his previous enmity. It is submitted that the nature of injury received was grievous sharp. It is submitted that in view of these submissions, the present application of applicant/accused be dismissed.

Arguments heard. Record perused. Considered.

Perusal of the record reflects that the applicant/accused is in custody since 14.07.2025. On query, the IO submits that applicant/accused had not stabbed the victim but was present at the spot. It is seen that the investigation in the present case is complete and charge-sheet has already been filed. Trial will take considerable time, 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) The applicant/accused shall furnish to the Investigating Officer a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- b) the applicant/accused shall report to the IO on 1st Monday of the month till the completion of evidence of all material public witness;
- c) If the applicant/accused has a passport, he shall surrender the same to this Court and shall not travel out of the country without prior permission of this Court;

d) The applicant/accused shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial;

e) In case of any change in his residential address/contact details the petitioner shall promptly inform the I.O. in writing.

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 (483 BNSS) 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
30.10.2025