

18.11.2025

Present: Shri Dushyant Siwatch, Ld. Chief Public Prosecutor for the State.
Shri Harish Bhardwaj and Suman, counsels for the applicant/accused.
IO in person.

The applicant/accused Ratan has moved the bail application under Section 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 13.06.2025. It is submitted that the applicant/accused has not caused any injury to the victim. It is submitted that co-accused has been granted bail . 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.

IO submits that co-accused had stabbed the injured and there are cross FIRs registered between the parties. It is submitted that the applicant/accused had held the injured.

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 submitted that the nature of injury received was grievous sharp. It is submitted that accused had been arrested after he had surrendered when proceedings under Section 82 Cr.P.C. had been initiated against him for declaring absconder. 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 13.06.2025. It is submitted that applicant/accused had held the victim. It is seen that the investigation in the present case is complete and charge-sheet has already been filed and co-accused has already been granted bail. 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. 50,000/- 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 3rd 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
18.11.2025