

Bail matters
SC No. 133/2025
STATE Vs. Jatin @ Harsh
FIR No. 437/2024
PS Jahangir Puri
U/s: 309(4,6)/311/317(2)/3(5) BNS

25.03.2025

File taken up today on two separate applications U/s 483 BNSS for grant of regular bail moved on behalf of applicants/accused persons namely **Jatin @ Harsh and Varun @ Tamatar.**

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.
Sh. Chetan, Ld. counsel for applicant/accused Jatin & Harsh.
Sh. S.C. Aggarwal, Sh. Neeraj Dinker, Sh. B.S. Malik and Sh. Deepanshu Kumar Maurya, Ld. Counsels for applicant/accused Varun @ Tamatar.
IO/SI Ankit Kumar in person.

Common reply has been filed by IO to the effect that TIP of both accused have been failed. Copy of the same is supplied to Ld. Counsels for applicant/accused.

It is submitted by Ld. counsel for applicant/accused Jatin @ Harsh that applicant has been falsely implicated in the present case and this is the first regular bail application of the applicant/accused Jatin @ Harsh. Ld. counsel for applicant/accused Jatin @ Harsh further submits that on 07.11.2024 main chargesheet has been filed in the present matter before the Ld. Trial Court, Rohini and charges yet to be framed, copy of the chargesheet dated 07.11.2024 filed in FIR No. 437/2024, PS Jahangirpuri is also annexed. Ld counsel for applicant/accused Jatin & Harsh has further submitted that applicant has spent considerable time period in JC and prayed

that he may kindly be granted bail.

It is submitted by Ld. counsel for applicant/accused Varun @ Tamatar that applicant has been falsely implicated in the present case as the same incident transpired on 28.07.2024 and the report was subsequently drafted after thorough consideration. Further it is also submitted by counsel for applicant/accused Varun @ Tamatar that prosecution has not provided any direct or credible evidence linking the applicant/accused to the alleged offence. It is also submitted by Ld. counsel for applicant/accused Varun @ Tamatar that applicant is a young man with family responsibilities. Ld counsel for applicant/accused Jatin & Harsh has further submitted that applicant has spent considerable time period in JC and prayed that he may kindly be granted bail.

On the other hand, Id Additional P.P for State had opposed the bail application and submitted that applicant/accused also caused injuries to the complainant and submitted that bail application may be dismissed.

Briefly stated, the present FIR bearing no. 437/2024 has been registered at PS Jahangirpuri, U/s. **309(4,6)/311/317(2)/3(5) BNS** with the allegations that applicants/accused persons namely **Jatin @ Harsh and Varun @ Tamatar** alongwith their co-accused persons committed robbery of a black colour purse containing Aadhar Card, two ATM cards, other documents, cash amounting to Rs. 800/- and a mobile phone make Readme from the possession of complainant Dharamvir. It is pertinent to mention that as per the reply filed by the IO, complainant has failed to identify both the applicants/accused

persons namely **Jatin @ Harsh and Varun @ Tamatar** during the test identification parade (TIP) conducted before Ld. JMFC. No doubt trial shall take time and no useful purpose shall be served by further incarceration of applicants/accused persons. Therefore, it is ordered that applicants/accused persons namely **Jatin & Harsh and Varun @ Tamatar** are admitted to bail on furnishing personal bond in the sum of Rs. 15,000/- with one surety in the like amount subject to the satisfaction of the following conditions:-

- (i) Applicant/accused is/are further directed not to threaten the prosecution witnesses or tamper with evidence or indulge in any such crime.
- (ii) Applicant/accused shall appear before the court on each and every date of hearing.

In case, it is prima facie brought to the notice of the court that the applicant/accused is violating the said conditions, the bail granted to him shall be liable to be canceled.

The present application is disposed off accordingly. Present application file be tagged with the main case file.

(Sushil Kumar)
Addl. Sessions Judge-04
North District Rohini Courts Delhi
25.03.2025 ^(R)