

THE COURT OF ASJ (FTC)-02,
SOUTH, SAKET COURTS,
NEW DELHI

PRESIDED BY : SH. VISHAL PAHUJA,

Bail application no. 794/25

FIR No. 108/24

PS Ambedkar

State Vs Sonu @ Arjun and other

Application u/s 439 Cr.P.C. (483 of B.N.S.S.) for grant of bail moved on behalf of applicant/accused Kunal @ Sonu @ Arjun.

Present : Sh. Anil, Ld. Additional PP for the state.

Sh. Jitender Singh, Ld. Counsel for the
applicant/accused.

IO SI Sonu Giri present.

Reply filed. Copy supplied.

Arguments heard. Records perused.

1. It is argued by the Ld. Counsel appearing on behalf of the accused/applicant that the accused/applicant is in JC since 05.02.2024. It is stated that the accused/applicant has been falsely implicated in the present case as he was not present on the place of incident at the relevant point of time. It is further stated that the applicant/accused has no previous involvement and the material public witness in the present matter has been examined and have not supported the case of the prosecution. It is further submitted that the mother of the applicant/accused has expired on 27.04.2025 and he has to perform the last rites and rituals. It is further submitted that the co-accused persons have already been released on bail in the present matter. It is further submitted that

the accused/applicant is ready to abide by the terms and conditions imposed by the Hon'ble Court. Thus, on the aforesaid grounds accused/applicant be admitted to bail.

2. On the other hand, IO has filed the reply opposing the bail application of the applicant/accused on the ground that applicant/accused has been involved in grave offence and if he is released on bail, he may influence the witnesses. It is further stated that the earlier bail application of the applicant/accused was dismissed by this court on 20.11.2024. Thus, on the aforesaid grounds the application is sought to be dismissed.

3. I have gone through the submissions and the record.

4. The applicant/accused has suffered incarceration for a period more than a year. The victim and material witnesses have already been examined in this case so the apprehension of the prosecution that the accused may influence the witness is ruled out. Moreover, none of the prosecution witness examined so far has identified the applicant/accused during their deposition recorded before the court. There are several other police witnesses who are yet to be examined in this case which is going to take substantial time, so it would not be justified to keep the accused/applicant behind the bars till the conclusion of the trial. Above all, considering the fact that mother of the applicant/accused has expired and her last rites and rituals are to be performed, this court feels that on humanitarian ground also the applicant/accused is entitled to relief.

5. In view of the observation given above and the facts and circumstances of the case, this court deems it a fit case where relief of bail can be granted. Accordingly, the bail application stands allowed. Hence, applicant-accused **Kunal @ Sonu @ Arjun** is admitted to regular bail on furnishing of personal bond in sum of **Rs. 25,000/-** with one surety of the like amount subject to following conditions:

- (i) the applicant-accused shall not influence, coerce, pressurize or contact PWs in any manner directly or indirectly;
- (ii) in case of change of residence, he shall inform the Court immediately;
- (iii) he shall not commit any offence during the bail period;
- (iv) he shall remain present in person or through his Counsel in the present case on every date of hearing fixed and/or as and when so directed by the Court;

6. The present regular bail application of the applicant-accused **Kunal @ Sonu @ Arjun** stands disposed of, accordingly.

7. Copy of this Order be provided dasti to the Ld. Counsel for the applicant-accused if so requested and be send to Jail Superintendent concerned.

Vishal Pahuja
ASJ (FTC) -02, South,
Saket Courts, Delhi/28.04.2025