

Bail Application No. 92/2025
MANJEET SINGH Vs. STATE
FIR No. 29/2019
PS Laxmi Nagar
U/s 308/323/452/34 IPC

06.06.2025

File has been taken up on the application seeking cancellation of bail of the accused Ritish Daral @ Ritik moved on behalf of the applicant/complainant namely Manjeet Singh.

Present:- Sh. Vishvesh Kumar, Ld. Counsel for the applicant/complainant.
Sh. S.K. Tripathi, Ld. Addl. PP for the State/R1.
Accused/respondent no.2 with Ld. Counsel Sh. V.K. Singh.
IO/ASI Jivanand in person.

1. Reply of the application has been filed.
2. Vide this order, the application moved on behalf of the applicant/complainant seeking cancellation of bail of the accused namely Ritish Daral @ Ritik, will be disposed of.
3. Counsel for the applicant/complainant argued that the accused was admitted to anticipatory bail by the order of Ld. ASJ-04, East, KKD Courts, vide its order dated 15.02.2019, subject to certain conditions, out of which, one of the condition was that the accused will not leave the country without the prior permission of the court.
4. He argued that the accused without obtaining the permission of the court went to Canada and therefore, breached

the aforesaid condition, hence, the bail granted to him may be cancelled.

5. Per contra, counsel for the accused argued that the accused was a student and he was not aware of the aforesaid condition and in order to pursue his studies, he had gone to Canada.

6. He further argued that on 09.01.2025, counsel for the accused himself has submitted before the court that the accused had gone to Canada and later, the accused returned from Canada and appeared before the court.

7. He also argued that though the conduct of the accused amounted to breach of the condition, the said conduct was not deliberate because the accused was not aware of the aforesaid condition.

8. Counsel for the accused also argued that the bail of an accused can be cancelled only if he does not join the investigation and threatens the witness. However, the accused had joined the investigation and had not threatened any of the witnesses.

9. In support of his arguments, counsel for the accused relied on following judgments:

- a) **Rashmita Vs. State & Ors, 2012 [3] JCC 1531**
- b) **Manjit Prakash & Ors. Vs. Shobha Devi & Anr, 2008 [3] JCC 2149**
- c) **C.V. Madan Vs. CBI, 2012 [3] JCC 1534**

- d) Govind Narain Johari & Ors. Vs. State & Anr, 2013 [2] JCC 1287
- e) Nandini Bhatnagar Vs. State, 2013 [1] JCC 257
- f) Suresh Chand Vs. State & Ors, 2013 [2] JCC 952
- g) Natasha Singh Vs. CBI, 2013 [2] JCC 956
- h) Godson Vs. State of Kerala, CrI. M.C. No. 197/2018 (Hon'ble High Court of Kerala)
- i) Rajiya Vs. State of Haryana, 2023:PHHC:164447

10. I have heard the arguments and have gone through the material available on the record and the judgments relied on.

11. In **Rashmita** (supra), Hon'ble High Court of Delhi held that while dealing with the question of the cancellation of bail of an accused, the only issue which is germane is that whether the accused had misused the conditions of the bail or tampered with the investigation or evidence or not.

12. In the instant case, admittedly, the accused went to Canada without the permission of the court in breach of the one of the conditions of the bail. However, later, he appeared before the court. There is no allegation that the accused had misused the liberty granted to him by tampering with the investigation or influencing/threatening the witnesses.

13. Though, the accused had gone to Canada yet he again came back and appeared before the court, which shows his bonafide and due to a mistake, as argued by the counsel for the accused, the liberty granted to the accused cannot be curtailed.

14. Having discussed as above, the instant application stands dismissed.

Put up for purpose fixed on the date already fixed i.e. on 08.07.2025.

(Subhash Kumar Mishra)
Additional Sessions Judge-03,
East, KKD Courts, Delhi
06.06.2025