

Bail Matters 2311/2025
STATE Vs. DEEPAK KUMAR
FIR No. 1150/2014
U/s 307/147/148/149/34 IPC
PS Kalkaji

04.09.2025

2nd bail application u/s 439 CrPC / 483 BNSS for grant of regular bail to the accused who has been arrested in pursuance of NBWs namely Deepak Kumar @ Chuddi.

Present: Sh. Aditya Trehan, Ld. Additional PP for the State.
Sh. Keshav Kumar, Ld. Counsel for the applicant / accused.

1. Reply has already been filed.
2. Submissions heard.
3. As per FIR, on 08.12.2014, on the complaint of the complainant the present case was registered u/s 307/147/148/149/34 IPC. During the investigation, accused Deepak @ Chuddi was arrested and was sent to JC on 09.12.2014.

After admission on bail, on 02.07.2025, he was not present before the Court for hearing, hence, the Court issued NBWs against the accused / applicant and on 27.07.2025 was arrested on NBWs.

4. Ld. Counsel for the applicant / accused has argued that the applicant / accused was arrested in pursuance of NBWs issued by the Ld. Court only because of his non-appearance which was due to bonafide reasons beyond his control and not due to any deliberate attempt to evade the process of law. The absence of the applicant / accused on the said date of hearing was neither intentional nor deliberate.

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The applicant was under medical treatment and was prescribed strict rest and medication by the attending doctor during the relevant period to his ill health and medical condition, the applicant could not appear before the Hon'ble Court on the given date.

5. On the other hand, Ld. Additional PP and the IO opposed the bail application of the accused stating that the applicant / accused has no permanent address and is residing in Jhuggi of Tilak Khand and which can be abolish at any point of time.

6. I have considered the submissions and perused the file.

7. Considering the facts and circumstances of the case, the accused was arrested on the issuance of NBWs. The accused was being absent from the trial on 8 dates and he remained on exemption on one date. The accused was sent to JC on 27.07.2025. The case is at the stage of prosecution evidence and the presence of accused / applicant for identification and assistance. There is no requirement to keep the accused / applicant in JC.

Hence, the bail application of the accused / applicant **Deepak @ Chundi is allowed**, on furnishing of bail bonds of Rs. 25,000/- with one surety of like amount. He is also warned to be cautious in future.

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8. The application is disposed off accordingly.
9. *Copy of this order be given as dasti.*
10. ***Copy of this order also be sent to Jail Superintendent for intimation and compliance.***

(LALIT KUMAR)
ASJ (FTC)-01, South-East District, Saket Courts,
New Delhi/04.09.2025