
(2018) 04 DEL CK 0063
In the Delhi High Court
Case No : BAIL APPLN. 1982 of 2017

SURAJ

APPELLANT

Vs

STATE OF NCT OF DELHI

RESPONDENT

Date of Decision : 12-04-2018

Acts Referred:

Indian Penal Code, 1860 — Section 307

Citation : (2018) 04 DEL CK 0063

Hon'ble Judges : SANJEEV SACHDEVA

Bench : Single Bench

Advocate : S.S. Rawat, Nirmal Chawla, Akshay Malik, Sanjeev Chopra,

Final Decision : Disposed Of

Judgement

SANJEEV SACHDEVA, J.

1. Nominal Roll of the petitioner has been received. It shows that the petitioner had undergone 1 year 3 months and 29 days incarceration as on

20.02.2018 and further 1 month 22 days have passed.

2. Petitioner seeks Regular Bail in FIR No.460/2016 under Section 307 IPC, Police Station Pandav Nagar.

3. The allegations in the FIR are that the petitioner and the respondent, both aged 20 years, are known to each other being the residents of the same

locality. Consequent to a quarrel the petitioner is alleged to have beaten the complainant and thereafter caused injury with a sharp weapon.

4. Learned counsel for the petitioner submits that the parties have settled their disputes and Settlement Agreement dated 04.12.2017 has been executed.

5. The complainant is also present in Court and he confirms that he has settled

with the petitioner and does not wish to prosecute his complaint any further.Â

6.Learned APP opposes the grant of bail and submits that the complainant has already testified in Court and confirmed his version.Â

7.Since the petitioner is aged 20 years and the complainant has settled with the petitioner and is even present in court with his mother and confirms

that he has settled with the petitioner and has no objection to grant of bail, without commenting on the merits of the case, I am of the view that

granting bail to the petitioner would enable the petitioner to come back into the main stream, restore family ties and provide him an opportunity to

reform himself.Â Â Â

8.In view of the above, petitioner is admitted to bail, subject to the petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like

amount and subject to the following conditions:-

(i)the petitioner shall not do anything to prejudice either the trial or the prosecution witnesses;

(ii)the petitioner shall not make any endeavour to contact either the complainant or the prosecution witnesses;

(iii)the petitioner shall not stay overnight outside Delhi/NCR region without first informing the Investigating Officer/concerned SHO.Â

(iv)the petitioner shall not change his residential address without informing the Investigating Officer/concerned SHO;

(v)the petitioner shall also report before the concerned SHO once in every two months on the first Saturday of every alternate month;

(vi)the petitioner as well as the surety shall provide their respective mobile numbers to the Investigating Officer;

(vii)the petitioner shall not leave the country without the permission of the Trial Court.Â Â

9.It is also noticed that the petitioner has also filed a petition seeking quashing of the subject FIR, based on the settlement.Â Since that petition is also

opposed by the prosecution, it is directed that the present order shall not have any bearing on the said quashing petition which shall be considered on

its own merits.Â

10.Petition is disposed of in the above terms.

11. Order Dasti under the signatures of the Court Master. Â