

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS, NEW DELHI
THROUGH VIDEO CONFERENCING**

Additional Sessions Judge
दक्षिण, दिल्ली
South, Delhi
साकेत, नई दिल्ली
Saket, New Delhi

State vs. Rohit
FIR No. : 30/21
PS Maidan Garhi
U/s 323/308/427/34 IPC

State vs. Sagar
FIR No. : 30/21
PS Maidan Garhi
U/s 323/308/427/34 IPC

09.03.2021

Present : Sh. R.K. Gurjar, Ld. Addl. PP for the State.
Sh. Pankaj Srivastav, Ld. Counsel for the applicants.

These are two applications arising out of the common FIR bearing no. 30/21 filed by the applicant Rohit as well as Sagar.

In respect of the applicant Rohit, Ld. Counsel for the applicants states that applicant is a peace loving and law abiding citizen of India. The accused has been falsely implicated in the present case and has nothing to do with the alleged offence and he is in custody since 12.02.2021. FIR in question has been registering by twisting and manipulating the facts by the complainant just to give it criminal colour so that the applicant can be arrested and falsely implicated in litigation. Infact it was the applicant/ accused and his friends who were hit by the auto -rickshaw by the complainant. Co-accused Kamlesh @ Mor has already been granted bail vide order dated 18.02.2021. There are no specific allegations against the applicant in the above stated FIR however he has been arrested on the basis of doubt and nothing has been recovered from the possession of the applicant.

In respect of the applicant Sagar, the same fact has been repeated by counsel for the applicants.

Per contra, Ld. Addl. PP for State opposed the bail application. In its reply, the State stated that on 06.02.2021 ASI Vijender Singh had reached the spot after receiving the information about the quarrel. In the AIIMS hospital, he found Pradeep Kumar, Vikas, Sarita and



Savitri Devi admitted in hospital but they have not given any statement. On 08.02.2021, one Pradeep Kumar made a statement wherein he stated that he and his friend Vikas had brought the wheat from the Mandi. He had unloaded the wheat at his house and when he and Vikas went to the house of Vikas for unloading the wheat, three boys were coming. One of boy name was Vijay. His TSR has been touched upon one of these three boys. They all three boys started abusing with him as well as his friend. In the meantime, all three boys had beaten them with fist blows and stones. Some more boys namely Saurabh, Jeet, Rohit, Vijay and Sagar have come to his house and abused them. They all had thrown the bricks and stones on them.

Considering the role of the applicant and the fact that incident has occurred due to over-touching of the TSR while the complainant was going to unloading the wheat and the fact that co-accused has been granted bail and further that accused persons are in JC from 09.02.2021, both the applicants are ordered to be admitted on bail subject to the furnishing the personal bond of Rs.50,000/- each along with two sureties each of a like amount to the satisfaction of Ld. MM/ Link MM/ Duty MM subject to the following conditions that:

- (1) The accused persons/ applicants shall attend the Court in accordance with the conditions of the bond executed.
- (2) The accused persons/ applicants shall not temper with the evidence or induce, threaten, coerce or influence the witnesses, including complainant, and
- (3) The accused persons shall not commit any offence similar to the offence of which he is accused of.
- (4) After releasing from Jail, accused shall comply social distancing norms and keep his face covered from mask or handkerchief.

A copy of this order be placed in each of the files.

Dasti.



(Atul Kumar Garg)

Additional District & Sessions Judge
South District/Saket Courts/09.03.2021

अतिरिक्त सत्र न्यायाधीश
Addl. Sessions Judge
दक्षिण, दिल्ली
South, Delhi
साकेत, नई दिल्ली
Saket, New Delhi



प्रमाणित
ATTESTED

10/3/21

साकेत अंचल, दक्षिणी
Branch in-charge, South
जिला अंचल, साकेत
District Court, Saket
नई दिल्ली
New Delhi