

**FIR No.33576/20
PS Rajouri Garden
State Vs. Puneet
u/s 379/411 IPC**

09.06.2021

Proceedings through VC

Present: Ld. APP for the state.

Sh. Ajay Bharti, Ld. Counsel for the accused/ applicant.

This is an application for grant of bail to accused Puneet Kumar, S/o Hansraj u/s 437 CrPC.

Reply has been filed by the IO with the previous involvement report of the accused. Let the copy of the reply as well as the FIR be supplied to the Ld. Counsel for the accused/ applicant via e-mail/ whatsapp.

It is argued by Ld. Counsel for accused/ applicant that the accused has been falsely implicated in the present case and he is a young man of 22 years of age, whose entire life may be jeopardized if he is kept in custody for a longer period. Benefit of bail is requested and it is submitted that if the benefit of bail is granted to the accused, the accused shall be ready and willing to furnish a sound surety, and shall also be willing to abide by conditions imposed upon him by the court, if his application is allowed.

Ld. APP for the state has opposed the application on the ground that the offence alleged against the accused is serious and there are other involvements against the accused.

Heard. Record perused. Considered.

This Court is mindful of the proposition that bail is a rule and jail is an exception. As held by **Hon'ble Supreme Court of India** in the judgment titled **State of Rajasthan, Jaipur vs Balchand @ Baliay 1978 SCR (1) 538**, "The

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basic rule is bail, not jail, except-where there are circumstances suggestive of fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offences or intimidating witnesses and the like by the petitioner who seeks enlargement on bail from the Court.”

The accused was arrested on 04.06.2021. Recovery has already been effected. Reply of the IO does not show any cogent ground meriting the pre-trial custody of the accused. The IO has not stated in the reply that the further detention of the accused is required for the purpose of custodial interrogation and investigation. Having regard to these circumstances as well as the fact that the accused is 22 years of age who still has chances of reformation, the accused **Puneet Kumar, S/o Hansraj** is admitted to bail on his furnishing personal bond in the sum of Rs. 10,000/- with one surety of the like amount and further subject to the condition that accused shall join the investigation as and when required, shall not commit any other offence of similar nature, shall not contact the complainant/witnesses in any manner and desist from doing anything which may hamper the due process of law. **Bail bond not furnished.** Bail application disposed of accordingly.

Let a hard copy of the application, its reply and misc documents be filed on the record within one week of the resumption of regular functioning of the Courts. Further, let a copy of the order be uploaded on the website of District Courts forthwith.

Copy of the order be sent to Jail Superintendent concerned via official email ID for intimation.

Copy of the order be given *dasti* to Ld. counsel for accused.

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