

**IN THE COURT OF SHRI SATVIR SINGH LAMBA,**  
**CHIEF METROPOLITAN MAGISTRATE, NORTH DISTRICT,**  
**ROHINI COURTS, DELHI**

FIR No.52/21  
PS Alipur  
U/s 186/353/332/34 IPC  
State Vs. Mandeep Puniya

02.02.2021

In the scenerio of COVID-19 pandemic, matter is taken up through video conferencing hearing in compliance of the directions of Hon'ble High Court of Delhi and directions of Ld. Principal District & Sessions Judge, North District, Rohini Courts, Delhi

Pr: Sh.Banduraj Baghrawat, Ld. Substitute APP for the state.  
Sh. Sarim Naved, Ld. Counsel for the applicant/accused  
Mandeep Puniya.

Heard. Perused.

This is an application for grant of bail u/s 437 Cr. P.C. filed on behalf of the applicant/accused Mandeep Puniya. Arguments on the bail application were heard on 01.02.2021 and no further clarifications are required.

It was stated by Ld. Counsel for the applicant that accused is innocent and is falsely implicated in the present case. It was contended that the offences as alleged in the present FIR are not made out against the applicant/accused. It was further contended that accused is a freelancer journalist and was carrying out his duties alongwith another journalists at

the protest site of Singhu Border, Delhi. It was further contended that one another journalist was also apprehended by the police, but was released in the midnight. However, the accused was not released as he was not carrying any press ID card. It was further contended that accused is a freelance journalist & used to write the articles and is a frequent contributor to the well known Caravan magazine. It was further stated that accused has roots in the society and is a man with family. It was also emphasised that accused will co-operate in the investigation, as per law and prayer was made for the grant of bail.

On the other hand, Ld. Substitute APP for state had strongly opposed the bail application on the ground that the allegations against the accused are grave and serious in nature. It was contended by the Ld. Substitute APP that the accused may again indulge in instigating the protestors and may create nuisance at the protest site with the group of different people and may hamper the investigation. Ld. Substitute APP has prays for the dismissal of the present bail application.

Perusal of record reveals that on 30.01.2021 vide DD No. 99A, an information was received in PS Alipur that a scuffle took place between police personnel and protestors at Singhu Border, Delhi during Law & Order arrangements. The movement of any public person was restricted towards the protesting site and barricades were placed for security, because of another scuffle incident of 29.01.2021 between the

protestors and localites. It is alleged that accused had pushed Ct. Rajkumar towards the potesting place, therefore, the police called the minimal force to control the situation. Thereafter, the protestors went away backside and the accused/applicant fell in the drain, upon which he was overpowered and arrested.

It is pertinent to mention here that the alleged scuffle incident of present case is of around 6.30 PM. However, the present FIR was registered at around 1.21 AM on the next day. Moreover, the complainant, victims and witnesses are police personnel only. Hence, there is no possibility that accused/applicant can able to influence any of the police officials. Admittedly, the accused is a freelancer journalist. Moreso, no recovery is to be effected from the accused person and keeping the accused further in Judicial Custody would not serve any cogent purpose. It is well settled legal principle of law that "*bail is a rule and jail is an exception*". Hence, considering the totality of facts and circumstances of the present case, submissions on behalf of both the parties as well as keeping in view the period of detention of the accused in judicial custody, he is admitted to bail on furnishing bail bond in a sum of Rs.25,000/- along with one sound surety in the like amount with following conditions:

1. The applicant / accused shall not jump the bail and shall appear in the court regularly.
2. Accused shall not leave the country without prior permission of the court.

3. Accused shall not indulge into similar offence or any other offence in the event of release on bail.
4. Accused shall not tamper with the evidences in any manner.
5. In case of change of residential address, accused shall intimate the court about the same within a week.
6. The accused shall join the investigations as and when required by the IO/investigating agency.
7. The accused shall provide his mobile number to the concerned IO/SHO on which he may be contacted, if required or necessary and shall ensure that the said number shall be kept active and switched on all the times.

Bail bond and surety bond of the applicant/accused shall be accepted only upon their due verification. Accordingly, present bail application stands disposed off.

Copy of the order be given dasti, as prayed for.

Copy of this order be sent to the concerned Jail Superintendent for intimation, as per rules.

**(SATVIR SINGH LAMBA)**  
**CMM (North District)**  
**Rohini Court/02.02.2021**