

**inderjit Vs. State**

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**SooperKanoon Citation :** [sooperkanoon.com/692668](http://sooperkanoon.com/692668)

**Court :** Delhi

**Decided On :** Mar-15-1983

**Reported in :** 24(1983)DLT152A

**Judge :** H.L. Anand, J.

**Acts :** Code of Criminal Procedure (CrPC) - Sections 439; Indian Penal Code (IPC) - Sections 34 and 302

**Appeal No. :** Cr. Misc. (M) No. 161 of 1983

**Appellant :** inderjit

**Respondent :** State

**Advocate for Def. :** Harish Gulati, Adv.

**Advocate for Pet/Ap. :** K.K. Sud, Adv

**Judgement :**

**H.L. Anand, J.**

1. The petitioner who is a young student of 18 years is standing trial for an offence under Section 302/34 IPG. The victim died on account of injuries sustained in a fight between two groups of students when they were out to play hockey in the morning at 5.30 a.m. The F.I.R. does not give the names or particulars of any of

the accused persons. The petitioner was arrested 6 days after the F.I.R. The victim did not leave any dying declaration. It is said that the only part attributed by the prosecution story to the petitioner is, holding up the victim, and the use of any instrument is not attributed to the petitioner. It is further urged that having regard to the totality of circumstances, there could not have been any intention to kill. The investigation has since concluded. Part of the prosecution evidence has also been recorded. Having regard to all the circumstances, the accused would be released on bail on furnishing personal bond in the sum of Rs. 5000/- with one surety in the like amount to the satisfaction of the trial Court. dusty.

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