

Varoon @ Babloo Vs. State

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Court : Delhi

Decided On : Dec-08-2010

Judge : Shiv Narayan Dhingra. J

Acts : Indian Penal Code (IPC) - Section 308, 304

Appeal No. : Bail Application No. 1412/2010

Appellant : Varoon @ Babloo

Respondent : State

Advocate for Def. : Mr. Sunil Sharma, Adv.

Advocate for Pet/Ap. : Mr. Ranjeet Kumar Jha, Adv

Judgement :

This application has been made by the applicant seeking bail on the ground that no specific role has been assigned to accused/applicant in commission of offence and the co-accused has already been granted bail. However, perusal of record would show that the applicant was one of the main assailants/accused. It was the 'applicant' who along with Shivam, Mukesh and Rajesh sat in front of the house of injured persons and it was the "applicant' who started giving taunting remarks and making gestures to complainant Kaushalya on whose statement FIR was recorded. When he was forbidden by complainant Kaushalya the applicant along with his three friends went to the house of Kaushalya. He was armed with a knife while Bail Application No. 1412/2010 Page 1 of 2 others were armed with rod,

hockey stick, danda and belts and they indiscriminately started assaulting the family members. The applicant made an attempt to stab Shiv Kumar. This assault of applicant was warded off by Kaushalya on her left hand and in the process she received injuries on the hand. Subsequently, more family members of applicant joined him in the assault. Shiv Kumar, who received injuries at the hands of the applicant, his friends and the family members, died sometime after the quarrel. The case was initially registered under Section 308 IPC and later on converted to Section 304 IPC.

Looking at the role of the applicant, I do not consider that it is a case where no role has been assigned to the applicant. The bail application is hereby dismissed.

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