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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: February 24, 2015

+ BAIL APPLN. 366/2015

YADRAM @DEEPAK

..... Petitioner

Through: Mr. Utsav Pandey, Mr. Vivek
Choudhary and Ms. Vineeta Singh,
Advocates

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Parveen Bhati, Additional Public
Prosecutor for State with SI Sachin
Tomar

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

JUDGMENT

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(ORAL)

Crl. M.A. No. 2670/2015 (Exemption)

Allowed, subject to all just exceptions.

Application is disposed of.

BAIL APPLN. 366/2015

Pre-arrest bail is sought in FIR No. 87/2014 under Sections 392/394/397/34 IPC registered at Police Station Pandav Nagar, Delhi by petitioner while claiming to be a student.

At the hearing, learned counsel for petitioner had submitted that petitioner has lost his mobile phone in February, 2014 and it was

misused by the bad elements and petitioner has nothing to do with the incident in question.

This application is opposed by learned Additional Public Prosecutor by submitting that the petitioner is very much party to the incident in question and his co-accused are absconding and that custodial interrogation of petitioner is necessary to bring out the truth.

Upon hearing and on perusal of the FIR of this case, I find that petitioner had not made any complaint regarding loss of his mobile phone and after the registration of this FIR, i.e. after about 10 months, petitioner had belatedly made a complaint (*Annexure-A2*) regarding loss of mobile phone in question. During the course of hearing, it was pointed out by the petitioner's counsel that there is delay in lodging the FIR and that petitioner has already joined investigation.

In the facts and circumstances of this case, I find that custodial interrogation of petitioner is necessary to bring out the true facts and gravity of the offence is such, which discourages this Court to grant the concession of pre-arrest bail to petitioner. This application is dismissed while not commenting on merits of this case, lest it may prejudice petitioner when he seeks regular bail.

(SUNIL GAUR)
JUDGE

FEBRUARY 24, 2015

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