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

+ BAIL APPLN. 452/2015

JITENDER

..... Petitioner

Through: Mr.Pardeep Khatri, Advocate.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr.M.P.Singh, APP.

Insp.Prabhu Dayal, P.S.Narela.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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18.09.2015

The petitioner seeks bail in FIR No.195/2012 (P.S.Narela) instituted for offences under Sections 302/120B and 34 of the IPC read with Sections 25/27 of the Arms Act.

It has been submitted on behalf of the petitioner that he has not been named in the first information report nor any suspicion has been raised against him.

A dead body was found by the police and near the dead body, one Devender was found available by the police who claimed himself to be the maternal uncle of the deceased.

During the course of investigation one Vicky was arrested and at his instance, a knife was recovered. Other accused persons namely Ashwani and Dinesh @ Bhola were also arrested and pursuant to their disclosures, a

country made pistol and two live cartridges were recovered from their possession.

Be it noted that the deceased was found to be shot at many places in his body.

It is submitted on behalf of the petitioner that he and one Vikash were arrested on the disclosure of the co-accused persons. One country made pistol and two live cartridges were recovered from the petitioner which was seized.

The records reveal that the petitioner has been in custody since 7.5.2012.

Uptil now, 16 witnesses out of 28 cited witnesses have been examined and none of the witnesses have deposed anything categorical against the petitioner. It is further submitted that co accused Dinesh @ Bhola and Vikash have already been granted bail by the Court below.

Considering the period of detention and the possibility of delay in conclusion of trial, this Court is inclined to admit the petitioner on bail.

The petitioner shall be released on bail on his furnishing a bond in the sum of Rs.10,000/- with two sureties of the like amount to the satisfaction of the Trial Court.

The petitioner shall participate in the trial in right earnest and any attempt on his part to delay the conclusion of the trial would entitle the prosecutor/the Investigating Officer to get the bail of the petitioner cancelled.

The petitioner shall not absent himself without any reasonable cause for two days consecutively.

The petitioner shall not leave the territorial limits of NCR without informing the SHO of the concerned police station about the destination and possible period for which he would go out of Delhi.

Application stands allowed with the aforesaid observations.

ASHUTOSH KUMAR, J

SEPTEMBER 18, 2015

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