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

Date of Order: August 24, 2015

+ BAIL.APPLN.1710/2015 & CRL.M.A.12161/2015

ANMOL KUMAR Petitioner

Through: Mr. J.P.Singh, Advocate

versus

THE STATE NCT OF DELHI Respondent

Through: Ms. Manjeet Arya, Additional
Public Prosecutor for State with SI
Sandeep Kumar

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **(ORAL)**

Crl.M.A.12161/2015 (Exemption)

Allowed subject to all just exceptions.

Bail Appln. No.1710/2015

Petitioner seeks *pre-arrest* bail in FIR No.900/2015 under Section 394/34 IPC registered at Police Station Shahbad Dairy, Delhi while claiming to be innocent.

Learned counsel for petitioner submits that petitioner is a cable TV operator having annual turnover of ₹40 lac and has no previous involvement and the alleged stolen articles have been recovered from co-accused and that no deadly weapon was used. It was submitted that

petitioner is the sole bread-earner of his family and no active role has been attributed to petitioner, and so he deserves *pre-arrest* bail.

This application is strongly opposed by learned Additional Public Prosecutor for respondent-State, who submits that the petitioner had facilitated commission of offence in question which is punishable upto life imprisonment or RI for 10 years and fine and that petitioner is named in the FIR and was very much involved in commission of the offence in question. It is submitted that although robbed bag has been recovered but the robbed money has not been recovered as yet and for this purpose custodial interrogation of petitioner is required.

Upon hearing and on perusal of FIR in question and material on record, I find that petitioner was very much party to commission of offence in question and the gravity of offence in question dissuades this Court to exercise the discretion to grant *pre-arrest* bail to petitioner as in serious offence like the instant one *pre-arrest* bail ought not to be granted.

This application is accordingly dismissed while not commenting upon merits of this case, lest it may prejudice petitioner when he seeks regular bail.

(SUNIL GAUR)
JUDGE

August 24, 2015
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