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

+ CRL.A. 483/2000

STATE

..... Appellant

Through: Mr. Varun Goswami, APP for the
State.

versus

MANOJ

..... Respondent

Through: Mr. Tej Ram applicant along with
Mr. Ajay Gautam, grandson in person.

CORAM:

HON'BLE MS. JUSTICE GITA MITTAL

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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12.08.2016

Crl.M.A.12501/2016 (for release of FDR) in CRL.A. 483/2000

1. Notice.
2. Mr. Varun Goswami, APP for the State accepts notice. He submits that he has no objection to the grant of the prayer made in this application.
3. Mr. Tej Ram, the applicant has submitted that pursuant to the order dated 28.11.2007, he has stood surety for the respondent Manoj and in support of the surety bond, the applicant had tendered an FDR drawn on Indian Bank, Shahdara Branch, New Delhi, which is lying in the safe custody of Deputy Registrar concerned.
4. The impugned judgment dated 27.02.1996 acquitting Manoj was set aside by the judgment dated 03.02.2016 and he was convicted and sentenced for commission of an offence punishable under Section 304 Part II of the IPC. The court had directed release of Manoj as he had already undergone custody of nearly four years during the pendency of the trial. The appeal

was accordingly disposed of. The bail bond of Manoj as well as surety bond submitted by the surety were discharged by the same judgment.

In these circumstances, the applicant has prayed for discharge of his surety bond and return of FDR. The State has no objection to the grant of the prayer made by the applicant.

5. We accordingly direct the return of the FDR submitted by the applicant which, as noted in the order dated 14.12.2007, is lying in the safe custody of the Deputy Registrar concerned.

6. The Registrar concerned shall also cancel the endorsement made thereon and intimation thereof be sent to the Manager, Indian Bank, Shahdara Branch, New Delhi.

7. The application is allowed in above terms.

8. *Dasti.*

GITA MITTAL, J.

R.K.GAUBA, J.

AUGUST 12, 2016

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