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

+ BAIL APPLN. 105/2016

SANJAY @ BODY GUARD

..... Petitioner

Through Mr.Jitendra Sethi & Mr.Akash
Sharma, Advs.

versus

STATE NCT OF DELHI

..... Respondent

Through Mr.Rajat Katyal, APP with SI Brahm
Prakash, PS Ranhola.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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21.01.2016

Crl.M.A. 874/2016

Application is allowed subject to just exceptions.

Bail Appln. 105/2016

Arguments heard.

The present petition under Section 439 Cr.P.C. has been filed by the petitioner for the grant of interim bail for a period of six weeks in FIR No.560/2014, under Section 302/34 IPC, Police Station Ranhola.

The petitioner is seeking the interim bail on the ground that his

minor son-Rudra Singh is required to be admitted in Kinder Garden in Economically Weaker Section (EWS) quota for which the presence of the petitioner is required including preparation of Income Certificate. It is submitted that the wife of the petitioner is not much literate, father of the petitioner is illiterate and other son is also illiterate.

Initially, it was submitted on behalf of the petitioner that the presence of the petitioner is required for preparation of Income Certificate. The matter was adjourned to get the facts verified.

Status report has been filed by the State. As per the status report, the petitioner has already been issued Income Certificate No.90558931175008 and the same is valid upto 20.04.2015. The petitioner has submitted the Income Certificate along with the application form for admission of his son. In the status report, it is further submitted that the verification with regard to presence of the petitioner has been conducted from various schools and it was informed that no interview/counselling of parents is required. List of the selected candidates will be provided to schools and then the schools will call the parents for submission of requisite documents. It is further mentioned that any of the parents/guardian may approach

schools for submission of documents.

During the course of arguments, it has been informed that the admission of students under the EWS quota is to be made through lottery system. It is an admitted fact that the Income Certificate in favour of the petitioner has already been issued. It is also an admitted fact that the application form for admission of the son of the petitioner has already been submitted along with the Income Certificate. Admittedly, presence of any of the parents is not required for admission and any of the parents/guardian can submit the documents.

In view of the aforementioned facts and circumstances, no ground is made out to release the petitioner on interim bail.

Application is accordingly dismissed.

P.S.TEJI, J

JANUARY 21, 2016
dd