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

+ BAIL APPLN. 179/2016 & CrI.M.B. No.152/2016

SHIV KUMAR

..... Petitioner

Through

Mr.Sunil Fernandes, Adv. with Mr.R.
Chadha, Adv. & Mr.Deepak Pathak,
Adv.

versus

STATE & ANR

..... Respondents

Through

Ms.Manjeet Arya, APP for the State
with SI Arun Sindhu, Spl.Staff/East.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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02.02.2016

The present bail application has been filed under Section 438 read with Section 482 of the Code of Criminal Procedure for grant of anticipatory bail.

It has been submitted by learned APP for the State that the investigating officer, in the present case, has adopted the procedure as enumerated in Section 41-A of the Code of Criminal Procedure (Cr.P.C.), and apparently, in view of Section 41-A(4) of Cr.P.C., there is no question of arrest without getting the order from the competent authority and presently, no such order has been obtained rather the

petitioner has been summoned time and again to join the investigation.

In the facts and circumstances, in view of the provision and the factual matrix, I am of the considered opinion that there cannot be reasonable apprehension of the petitioner having been arrested.

The bail application and CrI.M.B. No.152/2016 are dismissed.

P.S.TEJI, J

FEBRUARY 02, 2016

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