

#33 & 34

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

Date of decision: 04.05.2016

+ BAIL APPLN. 990/2014 and Crl. MA No. 7303/2014 (Stay)

ASHOK KUMAR @ ASHOK BAGRI Applicant
Through Mr. Surjeet K. Mishra, Advocate
versus

STATE NCT OF DELHI Respondent
Through Mr. M.S. Oberoi, APP for State
Insp. Pravin Kumar, PS DIU/SW Distt.

+ BAIL APPLN. 1086/2014

BALRAJ Applicant
Through Mr. Sachit Arora and Mr. Praveen
Kumar, Advocates
versus

STATE Respondent
Through Mr. M.S. Oberoi, APP for State
Insp. Pravin Kumar, PS DIU/SW Distt.

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

1. The present are the applications under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.) read with Section 482 Cr.P.C. seeking pre-arrest bail in FIR No. 267/2013, under Sections 420/120B IPC, registered at Police Station- Baba Haridas Nagar, Delhi.

2. It is an admitted position that the charge-sheet against the applicants in the subject FIR has been filed by the Delhi Police on 19th March, 2016. The present applications seeking pre-arrest bail have been pending adjudication before this Court since May, 2014 and the applicants have joined investigation since September, 2014 on a specific direction issued by this Court.

3. At no stage thereafter, has the official respondent ever urged that the interim bail granted to the applicants herein be cancelled or sought vacation thereof from this Court on any ground whatsoever.

4. It is observed that the applicants have clean antecedents and are not involved in any other case.

5. At this stage, there is neither any hint nor allegation that the applicants shall not be available to stand trial or that they may attempt to tamper with the evidence or try to influence the witnesses in the subject FIR.

6. Since the investigation is complete and charge-sheet in the subject FIR has been filed, as afore-stated, in my view, no useful purpose shall be served by requiring the custodial interrogation of the applicants herein.

7. In view of the foregoing, the present bail applications are allowed.

8. In the event of applicants' arrest, they shall be released on bail on their furnishing personal bonds in the sum of Rs. 50,000/- each with two sureties each of the like amount to the satisfaction of the Trial Court subject to the further conditions that:-

- i) the applicants shall appear before the Trial Court at every date of hearing of the trial unless so exempted or directed by that Court; and
- ii) the applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him to disclose such facts to the Court or to any other authority.

9. With the above directions, the present bail applications are disposed of.

MAY 04, 2016
SD

SIDDHARTH MRIDUL, J