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

+ **BAIL APPLN. 512/2015**

**RAVI KUMAR**

..... Petitioner

Through: Mr.Vishwendra Verma and  
Ms.Shivali, Advocates.

versus

**THE STATE**

..... Respondent

Through: Mr.Kewal Singh Ahuja, APP for the  
State for Mr.Amit Ahlawat, APP for  
the State with SI Mahender Singh, PS  
Fateh Pur Beri, ND.

**CORAM:**

**HON'BLE MS. JUSTICE PRATIBHA RANI**

**ORDER**

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**23.05.2016**

1. In the instant case vide order dated 7<sup>th</sup> May, 2015, the petitioner was granted interim bail for a period of two months for the following reasons:

*“By the said order, the co-accused Vivek Awana was admitted to bail on his furnishing a personal bond in the sum of ₹20,000/- with one surety of like amount to the satisfaction of the trial Court. Learned counsel for the petitioner is agreeable that in case the voice sample matches with the voice recorded in the telephone calls in question, then the appropriate orders may be passed against the petitioner.*

*Having heard the learned counsel for the petitioner and the learned APP for the State, under these circumstances, without deciding anything on merits of the case, it is directed that at this stage, the petitioner shall be released on interim bail for a period of two months from today, subject to his furnishing a personal bond in the sum of ₹20,000/- with one surety of the like amount to the satisfaction of the learned Trial Court. During this period, the petitioner shall not leave Delhi/NCR without the permission of the trial Court and in case*

*of change of his present address and contact number, he will inform the IO of the matter prior in time.”*

2. Thereafter, the matter was adjourned several times as the report about voice sample was not received from CFSL.

3. Today learned APP for the State has submitted that the office sample has been received un-examined for the reason that the officer Mr. Gautam Roy, SSO-I (Photo), who has received the case has superannuated on 31.12.2015. On the communication reference No. CFSL No. 2015/G-916, Mr. R.K. Srivastava, Senior Scientific Officer Gr.-I has made the following endorsements, dated 08.02.2016:-

*“the officer i.e. Sh. Gautam Roy, SSO-I (Photo), who received the case has been retired on 31.12.15 without retrieving the data from Mobile phone which is to be examined by Phy. Division/CFSL/Delhi. Presently, facility of mobile Phone examination is not available in this lab. Hence, this case is to be returned unexamined, as approved by DICFSL. Formal letter will be issued by DICFSL shortly.”*

4. Taking into consideration that the voice sample has remained un-examined and State is not even able to specify any time frame within which the same is likely to be sent for re-examination as well time likely to be taken for receiving the report, the interim order dated 7<sup>th</sup> May, 2015, whereby the petitioner was granted interim relief for a period of two months is extended till the voice sample is examined by the CFSL and the report is received. The State shall be at liberty to approach the Court for cancellation of bail depending upon the result of the voice sample.

5. The application is disposed of.

**PRATIBHA RANI, J.**

**MAY 23, 2016/‘hkaur’**  
BAIL APPLN. 512/2015

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