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

+ **BAIL APPLN. 1143/2016**

MOHD. YASEEN

..... Petitioner

Represented by: Mr. Sanjay Vemra, Mr. Sanjeev Singh, Ms. Neha, Advs.

versus

STATE OF NCT OF DELHI

..... Respondent

Represented by: Mr. Hirein Sharma, APP with Insp. Satish Kumar PS Bhalswa Dairy.

+ **BAIL APPLN. 1135/2016**

CHAMAN BHAI

..... Petitioner

Represented by: Mr. Sanjay Vemra, Mr. Sanjeev Singh, Ms. Neha, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr. Hirein Sharma, APP with Insp. Satish Kumar PS Bhalswa Dairy.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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16.12.2016

The petitioners are facing trial in case FIR No. 56/2013 under Sections 302/201/34 IPC registered at PS Bhalswa Dairy.

The case of the prosecution is that the petitioner along with his nephew committed the murder of his daughter Reshma and drowned the body in the Boat Club. No missing report was lodged by the petitioner and

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the FIR was registered only after a body was found at the Boat Club with a stone tied with the help of a shawl wrapped on the body.

During the course of investigation statements of witnesses of last seen were recorded. During trial all the six public/ material witnesses have been examined and now only 15 formal witnesses remain to be examined. On a query raised, learned APP on instructions submit that the DNA profiling of the deceased could not reveal her identity as the same was putrified. Thus the only circumstance against the petitioner Mohd. Yaseen and his nephew Chaman Bhai at this stage is that they did not lodge a missing report of the girl, though she was not available at the residence for a long time.

Be that as it may, without commenting on the fact whether the same is sufficient to convict the petitioners for the offence of murder or not, it is sufficient to note that the petitioners have been in custody for more than three years and all material witnesses have been examined. Considering the fact that the witnesses now to be examined are formal in nature, this Court deems it fit to grant bail to the petitioners. It is therefore directed that the petitioners be released on bail on their furnishing a personal bond in the sum of ₹1 lakh each with two sureties each of the like amount subject to the satisfaction of the learned Trial Court, further subject to the condition that the petitioners will not leave the NCT of Delhi without the prior permission of the Court concerned and visit the concerned Police Station on the 1st Monday of every month at 4.00 PM.

Petitions are disposed of. Order dasti.


MUKTA GUPTA, J.

DECEMBER 16, 2016 /'ga'
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