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

+ BAIL APPLN. 1062/2016

SONU

..... Petitioner

Through Mr.Tarun Gautam, Adv.

versus

THE STATE (NCT OF GOVT OF DELHI) Respondent

Through Mr.Amit Chadha, APP with SI Rajiv
Kumar, PS M.S. Park.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **30.05.2016**

Arguments heard.

The present application has been filed on behalf of the petitioner under Section 439 Cr.P.C. read with Section 482 Cr.P.C. for the grant of regular bail in FIR No.396/2015, under Sections 395/412/34 IPC, Police Station M.S. Park.

As per FIR, the allegations levelled are that the complainant Sh.Milan Sharma made a statement to the police that on 10.08.2015 at about 01.10 p.m., he was going to Punjab National Bank, G.T. Road, Shahdara, Delhi for depositing cash of Rs.17,90,000/- and cheque of Rs.12,10,000/-. In the meanwhile, four boys came on a motorcycle and a scooty and they forcibly robbed the bag of the complainant containing money. After commission of robbery, all the four boys fled away from the spot. On the basis of statement of the

complainant, FIR of the present case was registered under Section 392/34 IPC. During investigation, accused Yogesh Kumar was arrested and at his instance, the looted money of Rs.4 lakhs, robbed bag and scooty were recovered. Accused Yogesh Kumar disclosed the names of his four associates, namely, Pramod Kumar, Akash Kumar, Ankit and Sonu. Thereafter, remaining four accused including the petitioner were arrested. Rs.2,50,000/- were recovered at the instance of accused Pramod Kumar, Rs.2 lakhs were recovered at the instance of accused Akash Kumar and Rs.2 lakhs were recovered at the instance of accused Sonu i.e. the present petitioner. Therefore, Section 392 IPC was converted into Section 395 IPC. Section 412 IPC was also added in the present case.

During the course of arguments, it has been submitted that co-accused Akash has already been ordered to be released on bail by the learned Additional Sessions Judge vide order dated 28.12.2015.

In the facts and circumstances mentioned and on the ground of parity, the petitioner is admitted to bail on his furnishing personal bond in the sum of Rs.25,000/- with two sureties in the like amount to the satisfaction of the Trial Court. However, the petitioner is directed not to leave the country without prior permission of the Court concerned and shall not tamper with the evidence and influence the prosecution witnesses.

The present application is accordingly allowed.

P.S.TEJI, J

MAY 30, 2016/dd