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

+ **BAIL APPLN.1282/2016**

SHARDHA EKKA

..... Petitioner

Through : Mr.Shivender Singh, Advocate.

Versus

STATE (GOVT OF NCT)

..... Respondent

Through : Mr.Kamal Kr.Ghai, APP.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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11.07.2016

(1) As per Notification No.1078/G-4/Genl./DHC dated 06.07.2016, case is taken up today.

(2) The petitioner seeks regular bail under Section 439 Cr.P.C. in Case FIR No.386/15 registered under Sections 365/395/397/412/120B/34 IPC and Section 25/54/59 Arms Act at Police Station Kamla Market. Status report is on record.

(3) I have heard the learned counsel for the parties. Petitioner's counsel urged that the petitioner is in judicial custody since 10.09.2015. Co-accused persons have already been granted regular/anticipatory bail. The petitioner deserves regular bail on parity. The charge-sheet has already been filed. Learned APP urged that there are serious allegations against the petitioner and more than ₹45,00,000/- (forty five lacs) out of the robbed amount have been recovered from the petitioner.

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(4) Perusal of the charge-sheet reveals that there are serious allegations whereby ₹1.25 crores were allegedly robbed by the petitioner and his associates using deadly weapons. The robbed amount is stated to have been recovered from the accused persons arrested in this case. ₹45,70,000/- have been recovered from the petitioner as a part of robbed money. It is alleged that the petitioner was in regular contact on mobile phone with the driver co-accused Sunil Purti on the day of incident i.e. 8th September, 2015. The petitioner had allegedly hatched a conspiracy with the driver Sunil Purti and others and used SIM No.8447669762; he is the main conspirator. The petitioner declined to undergo judicial Test Identification Proceedings. It is further stated that not a single prosecution witness has so far been examined. There is a possibility of the petitioner to extend threats to the witnesses.

(5) The Trial Court has already listed the matter on 16/17 August, 2016 for recording statements of the prosecution witnesses.

(6) Since there are serious allegations against the petitioner and specific role has been assigned to him, I find no sufficient reason to enlarge him on bail at this stage particularly when no public witness so far has been examined and huge recovery of more than ₹45,00,000/- has been effected from him.

(7) The bail application is dismissed.

S.P.GARG, J.

JULY 11, 2016/sa
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