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

+ **BAIL APPLN. 1797/2016**

HARPREET SINGH@ HUNNY @ LONDON

..... Petitioner

Through: Ms. Neelam Singh, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms. Anita Abraham, APP with SI
Amit Rana, PS Maurya Enclave

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
29.09.2016

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The petitioner has preferred the present bail application to seek regular bail in case FIR No.272/2014 under Section 395/397/412/120B/34 IPC registered at PS Maurya Enclave. The petitioner is in judicial custody since 21.05.2014 in this case.

The case of the petitioner is that the complainant who has been examined as PW-2 has not named the petitioner as the person who was involved in the crime. The complainant has stated that three persons came on two motor bikes. The complainant has also named and identified the said three persons, and the petitioner is not one of them.

Learned APP submits that when the petitioner was arrested in case

FIR No.235/2014, he had himself confessed to be involved in the present case as well. The said statement of the petitioner cannot be used against him. Prima facie, the petitioner's involvement in the present case is not made out.

Since the complainant, who is the only eye witness to the crime has already been examined, I see no reason to deny bail to the petitioner. Accordingly, the petition is allowed. The petitioner is directed to be released on bail upon furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the Trial Court. He shall provide his mobile phone number at the time of his release, which shall be kept in working condition at all times and the same shall not be changed without prior intimation. He shall not leave Delhi without prior intimation to the I.O. concerned. He shall not get in touch with any of the prosecution witnesses or tamper with the evidence. He shall be released only if he has obtained bail in the other case(s) in which he may be in custody.

Petition stands disposed of. Dasti.

VIPIN SANGHI, J

SEPTEMBER 29, 2016

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