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

+ **BAIL APPLN. 1955/2016**

NAVEEN CHAND

..... Petitioner

Through: Mr. L.N. Rao, Advocate.

versus

STATE

..... Respondent

Through: Mr. Ashish Dutta, APP along with SI
Sandeep Sharma, PS- V.K. North, for
the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

02.11.2016

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The petitioner has preferred the present bail application under Section 439 Cr.P.C. for grant of regular bail. The petitioner is facing trial in case FIR No.15/2015 under Sections 370/ 370A/ 376/ 120B/ 323/ 506/ 509 IPC and Section 4/ 5 of the ITP Act.

The submission of learned counsel for the petitioner is that the petitioner has been behind the bars for the last about 22 months. The other co-accused in the case, including the accused Anil Kumar Jain & Mohd. Rashid have been granted bail. The submission of learned counsel is that the role attributed to Anil Kumar Jain even on perusal of the charge-sheet is

more severe and grave than that attributed to the petitioner. The public witnesses have already been examined.

Mr. Dutta submits that the I.O. is under cross-examination and the public witnesses stand examined.

Having heard learned counsel and perused the charge-sheet and the orders passed by the Trial Court on the bail applications of the petitioner as well as of the other co-accused, I am of the view that the petitioner is entitled to parity. The role attributed to Anil Kumar Jain, prima facie, appears to be more serious than that attributed to the petitioner. Moreover, the public witnesses already stand examined and there is little possibility of the petitioner able to temper with the evidence at this stage.

Accordingly, the application is allowed. The petitioner is admitted to bail upon furnishing personal bond in the sum of Rs.25,000/- to the satisfaction of the Trial Court. At the time of his release, he shall provide his mobile phone number, which shall be kept in working condition at all times and shall not be changed without prior intimation to the Court. He shall not change his address. He shall not contact any of the prosecution witnesses, including the I.O. in the case or temper with the evidence.

The petition stands disposed of.

Dasti.

VIPIN SANGHI, J

NOVEMBER 02, 2016

B.S. Rohella