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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2046/2016**

PANKAJ ROHILLA @ CHOTTEE Petitioner

Through: Mr.Daviender Hora, Adv. with
Mr.Sikandar Khan, Adv.

versus

STATE OF NCT OF DELHI Respondent

Through: Mr.Kewal Singh Ahuja, APP for State
Inspector Jitender/SHO,
SI Rameshwar Daas, PS-Old Delhi
Railway Station

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **20.12.2016**

CRL.M.A.15590/2016

Exemption granted, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 2046/2016

This is an application under Section 439 Cr.P.C. filed on behalf of the petitioner seeking grant of regular bail in case FIR No.403/2015, under Sections 307/147/148/149 IPC, registered at Police Station-Old Delhi Railway Station, Delhi.

Counsel for the petitioner has submitted that the petitioner is an innocent person having no nexus with the allegations made in the 403/2015, under Sections 307/147/148/149 IPC, registered at Police Station-Old Delhi Railway Station, Delhi. He has further submitted that the petitioner is in judicial custody since 24th November, 2015 and is no longer required for further investigation in the present case. He has further submitted that trial is

not likely to conclude in near future and the continued incarceration of the petitioner will not serve any purpose and prays that the petitioner be released on regular bail.

Learned APP for the State has vehemently opposed the bail application and submitted that the petitioner is the main accused. He has submitted that the petitioner stabbed the injured with a knife and the injured could make statement only after two days, however, the injured has been discharged from the hospital.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 24th November, 2015 and the injured has been discharged from the hospital, therefore no further investigation is required.

Looking in the above facts and circumstances, since the petitioner is stated to be in judicial custody since 24th November, 2015 and the injured has already been discharged from the hospital, no purpose would be served if the petitioner is kept in judicial custody as the trial is likely to take some time, consequently, the petitioner is granted bail on his furnishing a bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the concerned Court below with the condition that he should not influence the prosecution witnesses; he shall not tamper the prosecution evidence and he should not leave India without prior permission of the Court below.

The present bail application is disposed of accordingly. However, this order shall not affect the merit of the case.

Copy of the order be given *dasti*, as prayed.

I.S.MEHTA, J

DECEMBER 20, 2016/radhika