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

+ **BAIL APPLN. 2172/2016**

SUMIT KUMAR PANDEY Petitioner

Through : Mr.Prag Chawla, Advocate.

versus

THE STATE Respondent

Through : Mr.Akshai Malik, APP.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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24.10.2016

CRL.M.A.No.16484/2016 (Exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

BAIL APPLN. 2172/2016

1. The petitioner seeks regular bail under Section 439 Cr.P.C. in case FIR No.66/2016 registered under Sections 364A/384/170/120B IPC at PS Adarsh Nagar. Status report is on record.

2. I have heard the learned counsel for the parties and have examined the file. Petitioner's counsel urged that the petitioner is in custody since 02.04.2016. The offence under Section 364A IPC is not made out. The petitioner has been falsely implicated in this case as a counterblast to the complaint lodged by him against the complainant for supplying fake and spurious food supplements.

3. On perusal of the status report, it reveals that material prosecution witnesses are yet to be examined. There are serious allegations against the petitioner whereby he and his associates claiming themselves to be from Vigilance Department, kidnapped the victim; put him under threat of being sent to jail and extorted ₹1 lac; they also snatched his gold chain. During investigation, complainant's gold chain has since been recovered from the petitioner's residence. On enquiry, petitioner's counsel informed that charge has since been framed but the order on charge was not challenged.

4. Considering the gravity of offence, no sufficient ground for grant of bail at this stage, the bail application is dismissed.

S.P.GARG, J

OCTOBER 24, 2016 / tr