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

+ BAIL APPLN. 2344/2016

YOGESH @ BUNTY

..... Petitioner

Through Mr.Gurmit Singh Hans, Mr.Vishal
Soni and Ms.Aarti Manchanda, Advs.

versus

THE STATE THR. NCT OF DELHI Respondent

Through Mr.Panna Lal Sharma, APP with SI
Devi Lal, PAS Mahendra Park.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **28.11.2016**

Arguments heard.

The present application has been filed for the grant of regular bail in FIR No.397/2014, under Section 186/353/307/34 IPC, Police Station Mahendra Park.

The story put forth by the police, as per the FIR, is that on the intervening night of 09/10.07.2014, when Ct. Kuldeep along with Ct.Manoj were on patrolling duty, they were mercilessly beaten up by bricks, stones, beer bottles, iron punch and knife by five accused persons including the petitioner/accused-herein. After giving beatings to the police officials, service pistol of Ct. Kuldeep was taken away by the accused persons which was later on recovered from co-accused Vijay.

It has been submitted by the counsel for the petitioner that there

are 29 prosecution witnesses and out of which, only 14 witnesses have been examined so far and the trial is not proceeding. He has further submitted that PW1 is the police constable who is not coming forward for cross-examination.

On the other hand, learned APP for the State has submitted that the allegations levelled in the present case are serious and injuries have been caused to the police official who has suffered grievous injury and even his pistol was taken away which was subsequently recovered.

Undisputedly, all the accused persons are behind the bar.

In the facts and circumstances, this Court is of the considered opinion that no ground is made out to release the petitioner on bail. However, the trial court is directed to expedite the trial and conclude the same preferably within a period of six months. It will be open for the parties to move the application for pre-poning of evidence.

Application is disposed of accordingly.

Dasti under the signature of Court Master.

P.S.TEJI, J

NOVEMBER 28, 2016
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