

27# \$~

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

+ **BAIL APPLN. 1484/2015**

SURAJ SINGH

..... Petitioner

Represented by: **Mr. Rashid Hashmi, Advocate.**

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: **Ms. Rajni Gupta, APP for the
State with Inspector Prabhu
Dayal and SI Vivek Malik, PS
Vasant Kunj, North.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.09.2016

%

1. By the present petition the petitioner seeks regular bail in case FIR No.36/2012 under Sections 363/364A/302/201/120B/34 IPC registered at PS Vasant Kunj, North on the complaint of Raj Narain Singh who stated that his son Anurag aged 15 years who was studying privately and was doing stone polishing work in Gurgaon. On 25th January, 2012 at 11.00 AM his son had gone to Mahipalpur to collect the goods from Jaswant and was in possession of the mobile phone No. 9958268101 however, he did not return back. In the evening when the complainant tried to contact him at 4.00-5.00 PM his phone was found to be switched off. The complainant thought that he might have gone to 26th January programme however, since he did not return on 26th January, 2012 also, on 27th January, 2016 he went to the

BAIL APPLN. 1484/2015

Page 1 of 3

jhuggi of his nephew Jaswant where he neither found his son nor Jaswant. At Mahipal Pur he met one Suresh, a native of his village who saw Jaswant and Anurag going away at a place on 25th January, 2012 at about 1.30 PM. Later after the registration of the FIR under Section 363 IPC on 13th February, 2012 a dead body was recovered at Katehrai, PS Ahrauli where FIR under Sections 364A/302/201 IPC was registered on 13th February, 2012. The mobile phone instrument recovered from the co-accused Sagar Singh was found to be used in sending ransom messages to the complainant on his mobile phone and the SIM Card used therein belonged to the deceased which were both recovered from the possession of Sagar Singh.

2. From the disclosure statement of Sagar Singh it was revealed that he hatched a conspiracy with Jaswant to kidnap Anurag and extort ransom amount of ₹5 lakhs from his father.

3. The role assigned to the petitioner, who is the cousin of Sagar Singh, is that the petitioner was seen with Sagar Singh on the bike by one Ram Kewal Yadav, PCO owner at Devkali Bypass. The only evidence to connect the petitioner with the conspiracy is of Ram Kewal Yadav who has been examined and has not supported the prosecution case.

4. Considering the fact that there is no recovery at the instance of the petitioner nor that he made the extortion call, the material witness qua the petitioner has been examined, the petitioner is in custody for more than four years and the trial is likely to take some time, I deem it fit to grant bail to the petitioner. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the learned Trial Court, further

subject to the condition that he will not leave Delhi and Uttar Pradesh without the prior permission of the Trial Court. In case there is a change in the residential address of the petitioner he will duly intimate the same to the learned Trial Court.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 15, 2016

‘vn’