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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ BAIL APPLN. 1492/2015

RAJEEV KUMAR

..... Petitioner

Through: Mr. Ramesh Gupta, Senior Advocate along
with Mr. Kundan Kumar, Advocates

versus

THE STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Hirein Sharma, APP for the State.
Inspector Satish Kumar.

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 25.01.2016

This is an application under Section 438 Cr.PC moved by the petitioner for grant of anticipatory bail.

Sh. Ramesh Gupta, learned Senior Counsel for the petitioner submits that pursuant to the directions given by this Court, the petitioner has joined investigation. Three of the co-accused Kuldeep Rana, Ajit Rana and Aman Soni have already been enlarged on bail after filing of the charge sheet while one co-accused Ravi Singh was released on anticipatory bail. The petitioner is no longer required for the purpose of investigation as such he is entitled to the same relief.

Learned Additional Public Prosecutor for the State referred to the status report filed by the State for submitting that although the petitioner has joined investigation, however, his antecedents have been referred for submitting that he is involved in three other cases apart from this case. He has also refused to join TIP proceedings as such, is not entitled to be released on bail.

Countering the submissions of the learned Additional Public Prosecutor for the State, learned Senior Counsel for the petitioner submits that in three other cases referred to in the status report, the petitioner has already been acquitted. When the petitioner had joined investigation at that time he was shown to the witness, therefore, he refused to join

TIP proceedings. No recovery is required to be effected from him as there are no allegations in the FIR that he was armed with any weapon.

Keeping in view the totality of the facts and circumstances, in the event of arrest, accused/applicant Rajeev Kumar be admitted to bail on his furnishing a personal bond for a sum of Rest.25,000/- with one surety of the like amount, to the satisfaction of Investigating Officer/SHO Police Station Keshav Puram, with directions to the accused/applicant that he shall not try to contact any witness, who is acquainted with the facts of the present case, so as to influence or deter him/her/them, from divulging the facts relating to the present case, either to the investigating agency, or to the Court.

He is further directed to join investigation and provide the necessary assistance to the investigating agency required for the purposes of investigations.

Application stands disposed of accordingly.

Copy of the order be given dasti to counsel for both the parties.

SUNITA GUPTA, J

JANUARY 25, 2016

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