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

+ BAIL APPLN. 2154/2015

ZAHOOR-UL-HAQ @ SHAZI

..... Applicant

Through

Mr. Anas Tanwir, Advocate along with
applicant

versus

STATE OF NCT OF DELHI

..... Respondent

Through

Mr. M.S. Oberoi, APP for the State
ASI S.K. Srivastava, P.S. Chandni Mahal

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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21.01.2016

BAIL APPLN. 2154/2015 and CrI. MA No. 14903/2015 (Exemption)

The present is an application filed under Section 438 Cr.P.C. seeking pre-arrest bail in FIR No. 267/2015 under Sections 392/34 IPC registered at Police Station- Chandni Mahal, Delhi.

It is an admitted position that the applicant has joined investigation and is co-operating with the police.

The charge-sheet is stated to have been filed against the applicant's co-accused namely Saddam to the effect that he extracted a sum of Rs. 3700/- from the complainant in the subject FIR.

The only allegation levelled against the applicant herein is that he was accompanying the co-accused Saddam at the time of commission of the alleged offence.

In the present case, it is observed that the applicant has clean antecedents and does not have any previous involvements.

It is also observed that it has been alleged on behalf of the applicant that the subject FIR is the consequence of a political rivalry.

At this stage, there is neither any hint nor allegation that the applicant shall not be available to stand trial, if any, or that he may tamper with the evidence or try to influence the witnesses in the subject FIR.

In view of the foregoing, the present bail application is allowed.

In the event of applicant's arrest, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with two sureties of the like amount to the satisfaction of the Arresting Officer/Station House In-charge subject to the further conditions:-

- (i) That he shall continue to co-operate with the investigation and make himself available for questioning to a Police Officer as and when called upon to do so;
- (ii) That he shall not try and influence witnesses or tamper with the evidence in the subject FIR.

With the above said directions, the present bail application is allowed and disposed of accordingly.

Pending application also stands disposed of.

Dasti.

SIDDHARTH MRIDUL, J

JANUARY 21, 2016

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