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

+ BAIL APPLN. 2518/2015

AZAM KHAN

..... Petitioner

Through: Mr Mohammed Ikram, Advocate.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Ms Radhika Kolluru, APP.
SI Nitu Kumar, PS- Mayur Vihar.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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06.05.2016

The present is an application under section 438 of the Code of Criminal Procedure, 1973 (CrPC) read with Section 482 CrPC seeking pre-arrest bail in FIR No.249/2009, under Sections 420/34 IPC, registered at Police Station- Mayur Vihar Phase-I, Delhi.

Ms Radhika Kolluru, learned APP appearing on behalf of the police on instructions from the IO in the subject FIR, SI Nitu Kumar, PS- Mayur Vihar, states that the applicant has since joined investigation and is cooperating with it. Therefore, it is urged that they do not want the custodial interrogation of the applicant in the subject FIR.

The applicant has clean antecedents and is not wanted in any other case. There is neither any hint nor allegation that the applicant is a flight risk or that he may not be available to stand trial or that he may attempt to tamper with the evidence or try to influence the witnesses in the subject FIR.

In view of the foregoing, the present application is allowed. In the event of his arrest, the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety 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 approach the complainant or tamper with the evidence in the subject FIR.
- (iii) That the applicant shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the present case so as to dissuade them from disclosing such facts to the Court or to any other authority.

With the above directions the application is disposed of.

SIDDHARTH MRIDUL, J

MAY 06, 2016

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