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

+ BAIL APPLN. 73/2017

SAGAR GAHLOT

..... Petitioner

Through Mr.M.N. Dudeja, Mr.Chetan Swarup
and Mr.Ajay Sharma, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Through Mr.Sudershan Joon, APP with SI
Rajpal, PS Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **16.01.2017**

Crl.M.A. 774/2017 (Exemption)

Application is allowed subject to just exceptions.

Bail Appln. 73/2017

The present bail application has been filed under Section 438 and 482 of the Cr.P.C. for the grant of anticipatory bail in FIR No.870/2016, under Sections 323/452/34 IPC, Police Station Uttam Nagar.

The order passed by the Court of Session shows that the custody of the accused/petitioner had not been sought. Apparently, Section 323 IPC is bailable offence, whereas offence under Section 452 IPC is non-bailable. Only obstruction in the way of the accused/petitioner is the imposition of Section 452 IPC.

In view of the fact that there is non-requirement of the

accused/petitioner by the police for the purpose of interrogation, the present bail application is allowed. It is hereby ordered that in the event of arrest of the accused/petitioner, he shall be released on bail on furnishing the personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the arresting officer. The accused/petitioner is directed to join the investigation as and when required; not to tamper with the evidence; not to influence the prosecution witnesses; and shall not leave the country without prior permission of the court concerned.

Before parting with the order, this court would like to place it on record by way of abundant caution that whatever has been stated hereinabove in this order has been so said only for the purpose of disposing of the prayer for bail made by the petitioner. Nothing contained in this order shall be construed as expression of a final opinion on any of the issues of fact or law arising for decision in the case which shall naturally have to be done by the Trial Court seized of the trial.

Bail application is accordingly disposed of.

P.S.TEJI, J

JANUARY 16, 2017
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