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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 366/2017**

ARJUN

..... Petitioner

Through: Mr.Anuroop P.S., Adv. with
Mr.Naveen Gaur and Mr.Vikash
Bhardwaj, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr.Kamal Kr. Ghei, APP for State
SI Vipin Kumar, PS-Ashok Vihar

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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17.05.2017

This is an application under Section 439 Cr.P.C. filed on behalf of the petitioner seeking grant of regular bail in case FIR No.819/2014 under Sections 395/397/412/120-B/34 IPC, registered at Police Station-Ashok Vihar, Delhi.

Learned counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in FIR No.819/2014 under Sections 395/397/412/120-B/34 IPC, registered at Police Station-Ashok Vihar, Delhi is false. Counsel for the petitioner further submits that investigation has already been completed and the charge sheet has already been filed. He further submits that the co-accused Sharvan Shah has already been granted bail on 08.08.2016 vide Bail Application No.2165/2015. He further submits that the petitioner is in judicial custody since 31.12.2014 and not required for further investigation in the present case. He has further submitted that trial is

not likely to conclude in near future and the continued incarceration of the petitioner will not serve any purpose and prays that the petitioner be released on regular bail.

On the other hand, learned APP for the State has vehemently opposed the bail application and has submitted that if the petitioner is released, he may influence the witnesses during trial.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 31.12.2014 and the co-accused Sharvan Shah has been granted bail. The role assigned to the petitioner and the co-accused Sharvan Shah (who has been granted bail) is same. The investigation has already been completed. No purpose would be served if the petitioner is kept in judicial custody as the trial is likely to take some time. Consequently, the petitioner is granted bail on his furnishing a bail bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the concerned Court below with the condition that he shall not influence the prosecution witnesses; he shall not tamper the prosecution evidence and he should not leave India without prior permission of the Court below.

The present bail application is disposed of accordingly. However, this order shall not affect the merit of the case.

Copy of the order be given *dasti*, as prayed.

I.S.MEHTA, J

MAY 17, 2017/sr