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

+ **BAIL APPLN. 575/2017**

PINTU KUMAR Petitioner

Through: Mr.Rohit Bansal, Adv.

versus

STATE (DELHI ADMN) Respondent

Through: Ms.Kusum Dhalla, APP for State
SI Manoj Chabar, PS-Mundka

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **30.03.2017**

CRL.M.A.5460/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 575/2017

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.351/2016, under Section 364-A IPC, registered at Police Station-Mundka, Delhi.

Learned counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in FIR No.351/2016, under Section 364-A IPC, registered at Police Station-Mundka, Delhi is false. Counsel for the petitioner further submits that charge sheet has already been filed and material witnesses have been examined. He further submits that the petitioner is in judicial custody since 17.09.2016 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.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 17.09.2016 and material witnesses have been examined by the prosecution.

Looking into the above facts and circumstances, since the investigation has already been completed and the petitioner is stated to be in judicial custody since 17.09.2016, 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.20,000/- with one surety of the like amount to the satisfaction of the concerned Court below with the condition that he shall not contact, threaten or coerce the victim or any of the family members of the victim or indulge in any illegal activities; 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 allowed and 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

MARCH 30, 2017/radhika