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

+ **BAIL APPLN. 569/2017**

GEETA

..... Petitioner

Through: Mr.Nitin Sehgal, Adv.

versus

STATE

..... Respondent

Through: Mr.Kamal Kr. Ghei, APP for State
SI Sapan, Special Staff/Outer Distt.
Mr.Amarjeet Singh, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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23.05.2017

The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.433/2017, under Sections 33/58 of Delhi Excise Act, registered at Police Station-Mangolpuri, Delhi.

Learned counsel for the petitioner submits that the recovery alleged to be effected has already been done and the petitioner is the owner of the house. He further submits that the petitioner is an innocent person and has no nexus with the FIR in question. He further submits that the petitioner has already joined investigation and nothing is to be recovered at the instance of the petitioner and the petitioner is not required for custodial investigation. He further submits that the petitioner is ready to join further investigation as and when required and prays that the petitioner be granted anticipatory bail.

Learned APP for the State vehemently opposes the bail application. However, the learned APP on instructions from the Investigating Officer

admits that the petitioner has joined the investigation and recovery has already been effected and seizure memo has already been prepared at the spot.

Considering the facts and circumstances of the case, the petitioner is directed to join the investigation and in the event of her arrest, she be released on bail, on her furnishing bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the SHO/Investigating officer concerned with the condition that the petitioner shall not influence the prosecution witnesses; the petitioner shall not tamper the prosecution evidence and the petitioner shall not leave India without prior permission of the Court below.

The present bail application is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MAY 23, 2017/sr