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

+ BAIL APPLN. 673/2017

SHAKTI SONI

..... Petitioner

Through Mr.M.N. Dudeja, Mr.Anuj Chauhan
and Mr.Rajiv Thukral, Advs.

versus

STATE (NCT) OF DELHI

..... Respondent

Through Mr.M.S. Oberoi, APP with SI Pankaj,
PS Shalimar Bagh.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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27.04.2017

Arguments heard.

The present application has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.593/2014, under Sections 392/365/397/34 IPC, Police Station Shalimar Bagh.

The facts of the instant case are that on 24.06.2014 at about 3.40 p.m., the complainant Santosh Srivastava reached BK-1/191, Shalimar Bagh, Delhi. At that time, he was having 10,000 US Dollars. He made a call on a mobile phone and the person on the other side asked him to come to a car parked nearby. He sat in the said car and started calculating the amount on a calculator. One of the persons put a revolver on the neck of the complainant and robbed 10,000 US Dollars and his mobile phone.

During the course of investigation, petitioner Shakti Soni and

co-accused Hemant @ Goldy were arrested. 3000 US Dollars were recovered from the petitioner/accused. One toy gun used in the commission of crime was also recovered which was identified by the complainant during Test Identification Parade.

The petitioner/accused Shakti Soni was arrested on 27.06.2014 while co-accused Hemant @ Goldy was arrested on 11.08.2014.

It is matter of record that the charge sheet has already been filed. Charges under Sections 365/397/392/411/34 IPC have been framed against the accused persons.

It has been submitted by the counsel for the petitioner that the petitioner is in custody since 27.06.2014 i.e. for the last about 2 years and 10 months and the trial is still going on. It is further submitted that all the material witnesses have been examined and only few formal witnesses are yet to be examined. It is further submitted that there is no apprehension of tampering with the evidence or influencing the prosecution witnesses by the petitioner.

In view of the above mentioned facts and circumstances, the bail application is allowed. It is hereby ordered that the petitioner/accused Shakti Soni be released on bail on furnishing the personal bond in the sum of Rs.20,000/- with one surety in the like amount to the satisfaction of the trial court. He is directed not to tamper with the evidence or influence the prosecution witnesses. He is further directed not to leave the country without prior permission of the trial court.

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.

The application is accordingly allowed and disposed of.

P.S.TEJI, J

APRIL 27, 2017
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