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

+ **BAIL APPLN. 689/2017**

MOHD ILYAS

..... Petitioner

Through: Mr.B.S.Chowdhary, Adv. with
Ms.Chitra Goswami, Adv.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr.Mukesh Kumar, APP for State
SI Rakesh Kumar, PS-Jafrabad

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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01.05.2017

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.257/2016, under Section 374 IPC, Sections 16/17 Bounded Labour System (Abolition Act, 1976), Sections 7/8/9/10/11/14 Child Labour (Prohibition and Regulation Act, 1986) & Sections 23/26 Juvenile Justice (Care & Protection Act, 2000), registered at Police Station-Jafrabad, Delhi.

Learned counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in FIR No. 257/2016, under Section 374 IPC, Sections 16/17 Bounded Labour System (Abolition Act, 1976), Sections 7/8/9/10/11/14 Child Labour (Prohibition and Regulation Act, 1986) & Sections 23/26 Juvenile Justice (Care & Protection Act, 2000), registered at Police Station-Jafrabad, Delhi is false. He further submits that the petitioner is in judicial custody since 12.04.2017 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 the allegations levelled against the petitioner are very serious in nature. He further submits that the petitioner may influence the witnesses during trial, if released on bail.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 12.04.2017.

Looking in the above facts and circumstances, since the investigation has already been completed and the petitioner is stated to be in judicial custody since 12.04.2017, 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 influence the prosecution witnesses; he shall not contact, threaten or coerce the victim or any of his/her family members or to 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

MAY 01, 2017/radhika