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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 724/2017

JAGBIR @ JAGGA

..... Petitioner

Through: Mr. Ashwani Kumar Sharma,
Advocate

versus

STATE OF DELHI

..... Respondent

Through: Mr. Panna Lal Sharma, Additional
Public Prosecutor for the State with
Sub-Inspector Brahm Prakash, Police
Station Ranhola, Delhi

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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02.05.2017

By this petition filed under Section 438 of Cr. P.C. the petitioner seeks anticipatory bail in FIR No. 188/2017 under Section 336/506/34 of IPC and Section 27 of Arms Act, at Police Station Ranhola, Delhi.

Brief facts as stated in the status report are that the present case is registered on the complaint of Harish Chander, who stated that on 07.04.2017, One Jagbir @ Jagga (petitioner herein) and his associate Azad came in his white Santro Car who were under the influence of alcohol. They started using filthy language against the husband of BSP candidate namely Ravi Sharma standing in election of MCD election. It is further alleged that the accused persons were shouting that if their candidate of Village Baprola would lose election they

would set their office afire and shot Ravi Sharma. It is further alleged in the complaint that the accused Azad surfaced a pistol which was taken by the petitioner who opened one round fire on the road.

Learned counsel appearing on behalf of the petitioner contended that the co-accused namely Azad has been granted bail being the prime accused in the said matter. It is further contended that it was the co-accused who was actually in possession of the pistol and who has been granted bail.

Learned additional public prosecutor for the State has vehemently opposed the aforesaid contention of the petitioner and submitted that the custodial interrogation of the petitioner is required for the purpose of recovery of the pistol used in the offence.

After hearing the counsel appearing on behalf of both sides, this court observes that no fresh warrants have been obtained against the petitioner after 27.04.2017 nor any proceedings under Section 82 of Cr. P.C. have been initiated against the petitioner as on today.

In view of the aforesaid facts and circumstances of the present case, petitioner is directed to join the investigation as and when directed by the investigating officer and in the event of arrest, the petitioner – Jagbir @ Jagga be released on bail subject to their furnishing personal bond in the sum of Rs.20,000/- with two sureties of the like amount to the satisfaction of the Arresting Officer.

The petitioner is directed not to tamper with the evidence, not to influence the prosecution witnesses and shall not leave the country without prior permission of the Court concerned.

Before parting with the above order, it is made clear that anything observed in the present petition shall not have any bearing on the merits of the case during trial.

In view of the aforesaid directions, the present bail application is disposed of.

Dasti.

P.S.TEJI, J

MAY 02, 2017
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