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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 873/2017**

TULE RAM Petitioner

Through: Mr.Sunil Kumar, Adv. with
Mr.Sanjay Ghaloth, Adv.

versus

STATE (GOVT NCT OF DELHI) Respondent

Through: Mr.Mukesh Kumar, APP for State
SI Sumit Kumar, PS-Nihal Vihar

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **11.05.2017**

CRL.M.A.7831/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 873/2017

This is an application under Section 439 Cr.P.C. read with Section 482 Cr.P.C filed on behalf of the petitioner seeking grant of regular bail in case FIR No.218/2017, under Sections 308/323/34 IPC, registered at Police Station-Nihal Vihar, Delhi.

Learned counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in FIR No.218/2017, under Sections 308/323/34 IPC, registered at Police Station-Nihal Vihar, Delhi is false. Counsel for the petitioner further submits that investigation has already been completed and the charge sheet has already been filed. He further submits that the petitioner is in judicial custody since 30.04.2017 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 if the petitioner is released, he may influence the witnesses during trial.

On instructions from the Investigating Officer, learned APP submits that injured has already been discharged from hospital.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 30.04.2017.

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 30.04.2017, 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 family members of 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 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 11, 2017/radhika