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

+ **BAIL APPLN. 902/2017**

DINESH

..... Petitioner

Through: Ms.Jyoti Gupta, Adv.

versus

STATE

..... Respondent

Through: Mr.Kamal Kr. Ghei, APP for State
SI Bijender, PS-Okhla Industrial Area

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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16.05.2017

CRL.M.A.8072/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 902/2017

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.521/2013, under Sections 363/366-A IPC, registered at Police Station-Okhla Industrial Area, Delhi.

Learned counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in FIR No.521/2013, under Sections 363/366-A IPC, registered at Police Station-Okhla Industrial Area, Delhi is false. Counsel for the petitioner further submits that the petitioner was earlier on bail, however, due to unforeseen circumstances, the petitioner

could not appear before the Court below, resultantly, proceedings under Section 82 Cr.PC was initiated against the petitioner. Counsel further submits that the petitioner is in judicial custody since 26.05.2016 and not required for further investigation in the present case. She 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.

Looking in the above facts and circumstances, since the petitioner is stated to be in judicial custody since 26.05.2016, 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 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 disposed of accordingly.

Copy of the order be given *dasti*, as prayed.

I.S.MEHTA, J

MAY 16, 2017/sr