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

+ **BAIL APPLN. 1976/2016**

KISHORE KUMAR

..... Petitioner

Represented by: Mr. Sumeet Verma, Mr.
Abhijeet Sharma, Advts.
DHCLSC.

versus

STATE

..... Respondent

Represented by: Ms. Rajni Gupta, APP with
Insp. Surender PS Sultan Puri.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.01.2017

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The petitioner seeks bail in case FIR No. 212/2013 under Sections 302/120B IPC registered at PS Sultan Puri. The above-noted FIR was registered pursuant to a PCR call received on 18th March, 2013 at 3.30 AM during night informing about a quarrel at 6/39 Friends Enclave, Sector-6, Sultan Puri. On reaching the spot the Police officer found dead body of one Saurav S/o Jagdish lying on the first floor of the room of the house. On post-mortem the autopsy surgeon opined the death from Strangulation and smothering.

On interrogation of Seema, the wife of the deceased it was revealed that she was involved in the incident and she disclosed that though she married Saurav about 8 years back for the last two years she was in contact

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with the petitioner and they were friendly which was not to the liking of Saurav. Thus there was constant quarrelling and Saurav used to beat her. The murder of Saurav was committed in conspiracy between his wife Seema and the present petitioner. Analysis of the phone call details of Seema and the present petitioner reveals that at the relevant time they were in the range of place of the incident i.e. where the dead body of the deceased was recovered. Further the mobile phone used by the petitioner was also recovered.

Learned APP for the State submits that all prosecution witnesses have been examined during the course of trial and the matter is now listed for recording of the statement of the accused under Section 313 Cr.P.C. on 31st January, 2017. Since the trial is at the fag end and no piecemeal appreciation of evidence is required to be done by this Court, this Court finds no reason to grant bail to the petitioner at this stage.

Petition is dismissed.

Copy of the order be communicated to the petitioner through Superintendent Tihar Jail.

MUKTA GUPTA, J.

JANUARY 18, 2017
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