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

+ **BAIL APPLN. 954/2017**

RAJIV DAHIYA

..... Petitioner

Through: Mr.Tanveer Ahmed Mir, Adv. with
Mr.Arjun Singh Bhati, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Panna Lal Sharma, APP for State
Inspector Sanjay Dahiya, Spl. Team,
Crime Branch

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **13.07.2017**

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.87/2016, under Sections 186/353/307/34 IPC, Sections 25 & 27 Arms Act, registered at Police Station-Crime Branch.

Learned counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in FIR No.87/2016, under Sections 186/353/307/34 IPC, Sections 25 & 27 Arms Act, registered at Police Station-Crime Branch is false. Counsel for the petitioner further submits that investigation has already been completed. He has further submitted that no firearm injury on the person of the injured as been caused by the petitioner. He further submits that the petitioner is in judicial custody since 04.06.2016 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 petitioner is a habitual offender and there are 17 other cases pending against the petitioner.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 04.06.2016. It is also an admitted fact that no firearm injury was received on the person of the injured.

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 04.06.2016, 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 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

JULY 13, 2017/sr