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

+ **BAIL APPLN. 1050/2017**

HARVINDER @ MONU @ KUNAL Petitioner

Through **Mr. Manobal Gupta, Advocate**

versus

STATE (NCT OF DELHI)

..... Respondent

Through **Mr. Amit Gupta, APP for State with
SI Manoj Kumar Spl Cell, NDR,
Lodhi Colony**

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **05.09.2017**

Learned APP submits that allegations against the petitioner are that he was in constant touch with the co-accused Karamvir, who was lodged in jail, on mobile phone and their conversation was intercepted during the surveillance of mobile No.9729683891. It is submitted that it was revealed from their conversation that the petitioner and co-accused Vinod @ Sillu were conspiring with co-accused Karamvir to kill one Buntty or Kaka or someone from their family who were living in Ranikheda Village, Delhi. It is submitted that their conversation was intercepted on 15th May, 2015. Thereafter, a raid was conducted on 15th May, 2015 itself at house No.193, Village Ghevra, Delhi which belonged to Karamvir. From the said house petitioner and other co-accused were apprehended. From the petitioner, one desi

katta and one live cartridge was recovered. One mobile phone was also seized from the petitioner.

Learned counsel for the petitioner submits that FIR was initially registered under Sections 365/302/34 IPC at PS Mundka, however, charges have been framed under Section 25 of the Arms Act as well as Section 120 (b) r/w Section 302 IPC. He submits that neither any person was killed nor any dead body was recovered and it is on the basis of intercepted conversation the prosecution alleges that petitioner and co-accused Vinod @ Sillu and Karamvir were planning to kill some Bunty or Kaka or someone from their family. It is further submitted that during the investigation police has not been able to identify the persons who were referred to as Bunty or Kaka and whose murder was being planned by the accused persons.

Petitioner is in custody for more than two years. Keeping in mind the totality of the facts and circumstances of this case, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹10,000/- with one surety in the like amount to the satisfaction of the Trial Court.

Copy of the order be sent to the Jail Superintendent.

Bail application stands disposed of.

Dasti.

A.K. PATHAK, J

SEPTEMBER 05, 2017

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