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

+ **BAIL APPLN. 2380/2016**

SUMIT @ KALLU

..... Petitioner

Through: Mr. Atul Kumar, Anirudh Aggarwal
and Pankaj Srivastav, Adv.

versus

THE STATE

..... Respondent

Through: Ms. Radhika Kolluru, APP

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
02.02.2017

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The petitioner has moved the present anticipatory bail application u/s 438 Cr PC in case FIR 816 /2016 u/s 147/148/149/308/341/323/427/506 IPC registered at PS Mukherjee Nagar. Counsel for the petitioner submits that the other co-accused in the case have been granted anticipatory bail.

It is seen that the petitioner appears to be a leader of the gang and is involved in the offence in question. Therefore, his case stands on a different footing.

The accused in present in court and he has been counselled to mend his ways. He is a young person and if he does not mend his ways, he will ruin his life and will bring disrepute to himself and his family. He feels

remorseful and has assured the court that he will not take the law into his own hands.

Learned APP has pointed out that the petitioner is involved in three other cases, namely, FIR 54/2013 u/s 308 IPC (which was quashed on settlement on 26.09.2014); FIR 302/2009 u/s 354/506 IPC (wherein he has been acquitted), and; FIR 285/2010 u/s 68(1)(14) of the Excise Act (where the petitioner has been fined).

The parties have arrived at a settlement. The complainant is also present in court and states that a settlement has been reached. The complainant states that since the petitioner is remorseful and has assured him that he shall not indulge in such like conduct in future, he, therefore, does not oppose the application of the petitioner.

In view of the aforesaid, the application is allowed. In case of his arrest, the petitioner shall be released on bail upon his furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the arresting officer/ IO. This is further subject to the condition that he shall not threaten or coerce the complainant or tamper with the evidence. He shall not indulge in any other criminal activity and if he undertakes any criminal activity, the bail granted to the petitioner shall be liable to be cancelled.

The application stands disposed of.

VIPIN SANGHI, J

FEBRUARY 02, 2017

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