

\$~1

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

+ BAIL APPLN. 2576/2016

SHAHJAHAN @ SHARDA Petitioner
Through: Mr.R.P.Singh, Advocate.

versus

STATE Respondent
Through: Ms.Kusum Dhalla, APP for State with
SI Ina Kumari, P.S. Nand Nagri,
Delhi.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

%

30.03.2017

This is an application under Section 439 Cr.P.C. filed on behalf of the petitioner for grant of bail in case FIR No.780/2016, under Sections 365/366/368/376/343/370A/370/323/506/34 IPC registered at Police Station Nand Nagri, Delhi.

Learned counsel for the petitioner submits that the petitioner is the grandmother of the victim. Counsel further submits that the petitioner is in judicial custody since 8th September, 2016 and further submits that the co-accused, namely, Neelu @ Leelu, Rambir and Chinta, who are the main accused, have already been released on bail. Counsel further submits that the charge sheet has already been filed in the Court. However, charge is yet to be framed and the trial of the case will take long time to conclude and further submits that the petitioner being a lady may be released on bail.

Learned APP for the State, on the other hand, vehemently opposes the

bail application and submits that there is no merit in the present bail application as there is every likelihood of tampering with the prosecution evidence.

Keeping in view the facts and circumstances since the petitioner is a lady and in judicial custody since 8th September, 2016 and the fact that the main accused persons are already on bail, no fruitful purpose would be served by keeping the present petitioner in judicial custody for further period and in these circumstances, I admit the petitioner on bail, on her furnishing bail bond in the sum of Rs.20,000/- with one surety of the like amount, to the satisfaction of the concerned M.M. with the direction that the petitioner shall not leave the country without prior permission of the concerned Court below and shall not tamper with the prosecution evidence and also shall not contact the victim in any manner either on telephone or through messenger.

The present bail application is allowed and stands disposed of in the above terms. It is made clear that the observations made in the present order shall not affect the merits of the case.

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

I.S.MEHTA, J

MARCH 30, 2017
'dc'