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

+ **BAIL APPLN. 1262/2017 & CrI.M.B.1343/2017 (Interim Bail)**

AVTAR SINGH

..... Petitioner

Through: Mr.Vikas Padora and Mr.Dipanshu
Chugh, Advs.

versus

STATE NCT OF DELHI

..... Respondent

Through: Ms.Neelam Sharma, APP.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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07.09.2017

The petitioner seeks bail in connection with FIR No.272/2014 dated 20.04.2014 (P.S.Maurya Enclave) instituted for the offences under Sections 392, 397, 201, 120B IPC. The complainant was robbed of his belongings including jewellery by three motorcycle borne accused persons. On the complaint made by him, the subject FIR was lodged.

During the investigation of the aforesaid case, six persons were arrested and the petitioner was not one of them. They refused to participate in the TIP.

The petitioner is said to have been arrested in another case namely FIR No.235/2014 (P.S.D.B.G Road). In the aforesaid case, there was some disclosure which led to the remand of the petitioner in the present matter.

Though the petitioner has been identified by the complainant in the TIP, but such identification, prima facie, appears to be doubtful at this stage.

The petitioner is said to be in custody since 22.05.2014.

In the trial, about 20 witnesses have been examined and many more are still to be examined. There is, thus, no possibility of the trial being concluded in the near future.

Taking into account the nature of accusation against the petitioner, his period of custody and almost a remote possibility of the trial being concluded in near future, this Court is inclined to grant bail to the petitioner during the pendency of the application.

The petitioner is directed to be released on bail, on his furnishing a bond in the sum of Rs.5000/- with one surety of the like amount to the satisfaction of the Trial Court.

The petitioner shall, however, not involve himself in any unlawful activity and would participate in the trial. If the petitioner absents himself from the trial proceedings on two consecutive occasions, without a plausible reason and without permission from the Trial Court, it would be open for the State to move for cancellation of his bail.

The application is disposed of.

ASHUTOSH KUMAR, J

SEPTEMBER 07, 2017

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