

\$~11

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

+ **BAIL APPLN. 1938/2017**

DILEEP KUMAR

..... Petitioner

Through: Mr.Suhail Malik and Mr.Vikas Malik,
Advts.

versus

STATE

..... Respondent

Through: Mr.Ashish Dutta, APP.
SI Nakul, P.S.Maurya Enclave.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **12.10.2017**

This is an application seeking bail for the petitioner in connection with FIR No.272/2014 dated 20.04.2014 (P.S.Maurya Enclave) instituted for the offences under Sections 395/397/201/120B and 34 IPC.

It is alleged that the complainant of this case was robbed of his belongings including jewellery by three motorcycle borne miscreants.

During the course of investigation of this case, six persons were arrested and the petitioner was not one of them. The petitioner is said to have been arrested in another case namely FIR No.235/2014 (P.S.DBG Road) from where the petitioner has been remanded in this case. In the aforesaid case i.e. FIR No.235/2014 (P.S.DBG Road), the petitioner has been admitted to bail.

It has been submitted on behalf of the petitioner that he has not been

put to Test Identification Parade by the prosecution. Nothing has been recovered from the possession of the petitioner. The petitioner is in custody since 19.06.2014. It has also been submitted that a co accused namely Avtar Singh has been granted bail by this Court in Bail Appln.1262/2017 vide order dated 07.09.2017.

Regard being had to the aforesaid facts, especially the period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

The petitioner is directed to be released on bail, on his furnishing a bond in the sum of Rs.10,000/- 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.

Dasti.

ASHUTOSH KUMAR, J

OCTOBER 12, 2017

k