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

+ **BAIL APPLN. 9/2018**

LOKESH @ KARTIK

..... Petitioner

Through: Mr. Akhand Pratap Singh, Mr. B.
Kalra and Ms. Aditi Mittal, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms. Manjeet Arya, APP for State with
SI Manoj Kumar, P.S. Special Cell,
Lodhi Colony.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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03.01.2018

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the matter. No dead body was recovered. Even the identity of the person, who was allegedly killed by the petitioner and co-accused, could not be ascertained. Except the alleged telephonic conversations, there is no other material to show the culpability of petitioner. He further submits that weapon, which was allegedly recovered from the petitioner, has been planted by the police. There is nothing on record to show that this weapon was used to kill anyone. Petitioner is in custody for the last two and a half years.

Learned APP has opposed the grant of bail to petitioner. She contends that petitioner was present in the house of co-accused Karamvir @

Kala when the raid was conducted and a *desi katta* along with two live cartridges was recovered from him. She further contends that co-accused Karamvir @ Kala, who was lodged in jail, was in constant touch with co-accused, namely, Vinod @ Sillu, Harvinder @ Monu and Amarjeet @ Kunal on mobile phone no. 9729683891, which was put on surveillance. The said conversation indicated accused were planning to kill one Sanjit @ Bunt and Mintu @ Kaka or someone from their family who were living in Ranikheda Village, Delhi. On the basis of this intercepted mobile phone conversation on 15th May, 2015, a raid was conducted at the house of Karamvir where petitioner was found present and arrested.

Keeping in mind 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.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

JANUARY 03, 2018

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