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

+ **BAIL APPLN. 155/2018 & CRL.M.A. 1088/2018**

KHEM CHAND

..... Petitioner

Through: Mr. Sunil Kapoor, Adv.

versus

THE STATE

..... Respondent

Through: Mr. Ashish Dutta, APP for State with
ASI Gurmeet Singh, PS Mangol Puri.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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19.01.2018

Submissions have been made on either side.

On behalf of the applicant it has been submitted that the applicant is not arrayed in FIR and was not present at the time of occurrence of the alleged offence. As per the disclosure statement made by co-accused Siddharth and by the co-accused Lakhwinder the sum of Rs. 45,000/- out of the alleged looted amount and the knife used in the alleged commission of offence had been handed over to the applicant.

On behalf of the State it has been *inter alia* submitted that there are proceedings under Section 82 of Cr.PC, 1973 initiated against the applicant in relation to the present case and in relation to the other case also under Section 308 of Indian Penal Code, 1860.

On behalf of the applicant it has been submitted that in relation

to the FIR 785/16, PS Mangol Puri under Section 308 Indian Penal Code, 1860, the parties have mutually arrived at a settlement.

Without any observations on the merits or demerits of the evidence that may be led in the case, taking into account the factum that presently there is only a disclosure statement of a co-accused against the applicant and apparently the FIR only three persons were present at the time of the alleged commission of offence, in the event of arrest, subject to the condition that applicant shall not leave the country, shall join the investigation of the case as and when required and shall not contact the complainant and his family members and shall commit no offence whatsoever, the applicant is allowed to be released on bail on his furnishing a bail bond in the sum of Rs.50,000/- with two sureties of the like amount to the satisfaction of the learned trial Court.

Copy of the order be given *Dasti*, as prayed.

ANU MALHOTRA, J

JANUARY 19, 2018

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