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

+ CRL.M.C. 654/2018

RAVINDER KUMAR

..... Petitioner

Through Mr. Mahipal Singh, Adv

versus

STATE & ORS

..... Respondents

Through Dr. M P Singh, APP for State
SI Sukhjeet singh, PS Bharat Nagar

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **07.02.2018**

It is alleged that the accused stole cheque of his grandfather and withdrew ₹5,00,000/- from his account by forging his signatures. Investigations are stated to be complete. Petitioner is in custody for the last six months.

Vide order dated 21st September, 2017. Petitioner was admitted to bail subject to depositing ₹3,00,000/- by way of an FDR of a nationalised bank to be drawn in favour of District & Sessions Judge, North-West District, Rohini and also subject to his furnishing personal bail bond in the sum of ₹50,000/- with one surety in the like amount. It is noted that the petitioner had not offered to deposit this amount. It was a condition imposed by the trial court for release of petitioner on bail. Since petitioner failed to comply with the order, on an application filed by him, this condition was reduced to ₹1,50,000/-.

Petitioner has still not been able to deposit this amount. In my view condition imposed by the trial court is onerous and cannot be imposed as pre-condition of grant of bail, in view of law laid down in ***Sumit Mehta vs. State of NCT of Delhi MANU/SC/0935/2013.***

Since investigations are complete, charge sheet is likely to be filed and petitioner is in judicial custody for the last about six months and is not able to avail the benefit of bail order till date, the condition of depositing of ₹1,50,000/- is waived of.

Petitioner be released on bail on his furnishing personal bail bond in terms of orders passed by the trial court.

Petition stands disposed of.

A.K. PATHAK, J

FEBRUARY 07, 2018

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