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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 500/2018**

ARCHIT GUPTA & ANR Petitioners

Through: Mr. Sunil Sharma & Mr. Tushar
Sharma, Advocates

Versus

STATE OF NCT DELHI Respondent

Through: Mr. Rajat Katyal, APP for State
Ms. Aakanksha Jha, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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14.11.2018

This Court had appointed Ms. Aakanksha Jha to assist the complainant since she did not have a counsel on 12.07.2018.

On 19.09.2018, Ms. Jha has stated that despite her efforts to reach the complainant, the latter had not responded to the learned counsel. She has been served notice through SHO on 09.10.2018 and 13.11.2018 yet she has chosen not to appear or be represented for the moment.

The petitioners were granted interim protection by order dated 13.04.2018. The said protection operates till date. The petitioners have joined investigation and undertake to do so as and when called upon by the Investigating Officer.

In view of the above, the interim protection is confirmed and it is directed that in the event of arrest of the petitioners in the present case, they shall be released on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety of the like amount to the satisfaction of the

Investigating Officer/Trial Court concerned.

The assistance rendered by Ms. Jha is much appreciated.

At this stage, the learned counsel for the petitioners submits that de hors the merits of the case, for the altercation which led to the registration of the FIR, the petitioners are ready and willing to undertake some social service as may be assigned by the Court. Accordingly, the petitioners shall report before the Sub-Divisional Magistrate concerned on 30.11.2018 at 11.00 am, who shall assign them duties to plant 50 trees each after identifying government lands under his jurisdiction. The plants/trees shall be of deciduous indigenous variety with a nursery age of three and a half years, and a height of at least six feet. Depending upon the soil type and topography, the SDM may consider the following types of trees for plantation:-

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| (i) Gular (Cluster Fig) | (ii) Kadamba (Burflower Tree) |
| (iii) Pilkhan (White Fig) | (iv) Jaamun (Black Plum) |
| (v) Bargad (Banyan Tree) | (vi) Mango |
| (vii) Amaltas (Golden Shower)
[Indian Laburnum] | (viii) Mahua (Butter Tree) |
| (ix) Putranjiva | (x) Badh |
| (xi) Sagwan (Teak Wood) | (xii) Safed Siris (Albizia Procera) |
| (xiii) Kala Siris | (xiv) Anjeer |
| (xv) Kathal- Jackfruit | (xvi) Palash |
| (xvii) Arni | (xviii) Bistendu |
| (xix) Rohida | (xx) Medshingi |

An affidavit of compliance shall be filed by the petitioners as well as SDM on or before 22.12.2018, failing which the Registry shall list the case for directions. Satellite pictures prior to and after the afore-directed plantation shall be obtained by the SDM from M/s Delhi Geospatial Ltd. and shall be filed alongwith his affidavit. Similar monthly updates shall be

obtained by him to monitor and ensure the upkeep of the said plantation. A Report of the same shall be filed six months after the plantation alongwith fresh photographs to show the health/status of the plants. In case of default, the Registry shall list the case for directions.

Additionally, the petitioner No. 1 is directed to report to the Deputy Commissioner concerned of the North Delhi Municipal Corporation (West Zone) on 03.12.2018 at 11.00 am, for assignment of duties for supervision in removal of garbage, municipal solid waste and for supervision in cleaning of drainage as well as inspection of sewers from blockages in the area for a period of two weeks. Affidavit of compliance, by petitioner No. 1 as well as of the Deputy Commissioner concerned, shall be filed in this Court after the completion of the said social work.

If the affidavits are not filed by 22.12.2018, the case shall be listed for directions.

A copy of this order be sent to the offices of the Standing Counsels (Crl.), GNCT and of North Delhi Municipal Corporation, for due intimation to the relevant officers, for compliance.

NAJMI WAZIRI, J.

NOVEMBER 14, 2018
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