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

% Judgment delivered on: 04.07.2018

+ **BAIL APPLN. 507/2018**

PRAMOD KUMAR

..... Petitioner

versus

THE STATE (GOVT.OF N.C.T OF DELHI) Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Ravinder Tyagi, Adv.

For the Respondent : Mr. Panna Lal Sharma, Addl. PP for the State with
SI Naveen
Mr. Vishesh Wadhwa and Mr. Aditya Swarup
Agarwal, Advts. for complainant

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

04.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks regular bail in case FIR No. 32/2018 under Sections 195A/34 of the IPC, Police Station Sabji Mandi, Delhi. The petitioner has been in custody since 24.01.2018.

2. The allegations in the subject FIR against the petitioner are that the petitioner along with co-accused who are also accused in FIR No. 485/2014 under Sections 307/326/325/506 and Section 25 of the Arms

Act had threatened and assaulted the complainant on 24.01.2018 when he had gone to Court to depose as a witness in the said FIR No. 485/2014.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and the subject allegations have been labelled solely for the purpose of seeking cancellation of bail granted in FIR No. 485/2014.

4. Learned Addl. PP informs that in the present FIR investigation is complete and the chargesheet has already been filed.

5. Learned counsel appearing for the complainant submits that consequent to a complaint made by the complainant the bail granted in FIR No. 485/2014 has been cancelled vide order dated 05.06.2018.

6. The apprehension expressed by learned counsel for complainant that in case bail is granted to the petitioner, the petitioner would threaten the complainant who has to appear as a witness in FIR No. 485/2014 is now redressed by order dated 05.06.2018 wherein the bail of the petitioner has been cancelled in the said FIR No. 485/2014.

7. In the present FIR, investigation has been complete and the chargesheet has been filed and the allegations have to be proved by leading evidence, I am of the view that no further purpose would be served in keeping the petitioner in custody in the present FIR.

8. Without commenting of the merits of the case and keeping in view of the totality of facts and circumstances of the case and on perusal of the records, I am of the view that the petitioner has made out a case for grant of bail.

9. Subject to petitioner furnishing a bail bond in the sum of Rs.25,000/- alongwith a surety of the like amount to the satisfaction of the Trial Court, the petitioner shall be released on bail, if not required in any other case. The petitioner shall not do anything, which may either prejudice the trial or the prosecution witnesses.

10. The petition is disposed of in the above terms.

11. Order Dasti under signatures of the Court Master.

July 04, 2018
'rs'

SANJEEV SACHDEVA, J