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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 757/2018

SUNIL @ BALLU

..... Petitioner

Through: Ms.Inderjeet Sidhu, Advocate
(DHCLSC).

versus

STATE

..... Respondent

Through: Mr.Ashish Dutta, APP for the State
with Inspector Shivcharan Meena
from PS-Old Delhi Railway Station.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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26.07.2018

The case against the petitioner arises out of the report under Section 173 of the Code of Criminal Procedure, 1973 on conclusion of the investigation into the FIR No.699/2015 of Police Station-Old Delhi Railway Station involving offences punishable under Sections 302/394/397/34 of Indian Penal Code. The case is pending trial before the Court of Sessions where the prosecution evidence is being recorded. On the basis of some evidence which has come on record, the applicant had approached the Additional Sessions Judge for release of bail arguing that the case against him is unfounded and incredible, witnesses who have identified him being not worthy of reliance. The Additional Sessions Judge, by his order dated

11.01.2018, rejected the bail application. Thereafter, the present application has been moved before this Court. As is noted in the order of Court of Sessions, the applicant was also identified positively in the Test Identification Parade.

Having regard to the aforesaid facts, it cannot be concluded that the case against the applicant is unfounded. Having regard to the gravity of the charges involved, release on bail will not be justified at this stage. Accordingly, the present application/petition is dismissed.

R.K.GAUBA, J

JULY 26, 2018

SSC